

University of Maine School of Law

University of Maine School of Law Digital Commons

Maine Law Magazine

Law School Publications

Fall 1998

Alumni Quarterly - Issue No. 68

University of Maine School of Law

Follow this and additional works at: <https://digitalcommons.mainerlaw.maine.edu/maine-law-magazine>



Part of the [Law Commons](#)

This Book is brought to you for free and open access by the Law School Publications at University of Maine School of Law Digital Commons. It has been accepted for inclusion in Maine Law Magazine by an authorized administrator of University of Maine School of Law Digital Commons. For more information, please contact mdecrow@maine.edu.

Alumni Quarterly

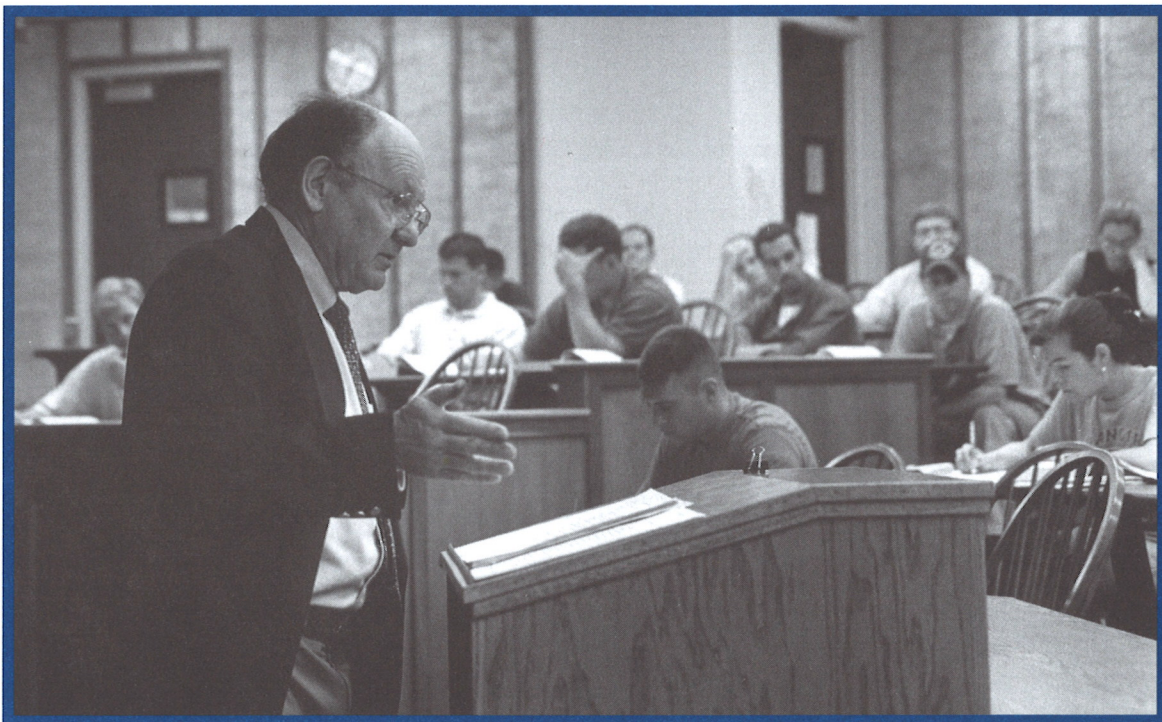


Photo courtesy of USM Publications

Godfrey Professor Thomas Shaffer

HIGHLIGHTS:

- ◆ 7th Annual Coffin Lecturer Warren B. Rudman ◆
- ◆ New President of the UIA Steven Hammond '77 ◆
- ◆ Godfrey Visiting Professor Thomas Shaffer ◆
 - ◆ A Glimpse at the Class of 2001 ◆
 - ◆ Project Exodus ◆

From The Dean



I am deeply honored to have been chosen as the fifth Dean of the University of Maine School of Law. The deanship offers me an opportunity to serve in a new way the institution that has been my professional, intellectual and social home for the past thirteen years. Those who have served before me have left big shoes to fill, but I am excited and enthusiastic about the opportunities and challenges that lie ahead.

Since my appointment, I have been asked three questions on an almost daily basis: What is your vision for the Law School? How is the Dean's job different from that of a faculty member? And, are you still going to teach?

The answer to the first question requires more space than I am allotted here. I hope to be able to paint a picture of my "vision" in this and other forums over the coming months. In a nutshell, however, I will strive to lead the Law School into the 21st century by building on its tremendous strengths — a strong faculty of fine teacher-scholars, a talented and dedicated administrative staff, a great library, strong students with excellent credentials, and a corps of loyal, committed and involved alumni — to ensure that the Maine Law School becomes the model of a small, high-quality, state-assisted law

school serving its state, the nation and the public interest.

How is being Dean different from being a regular faculty member? The old quip is that the Dean has less power! But the most striking aspect of the deanship for me — one month into the job — has been the different perspective it has given me on our Law School. It is as if a wide-angle lens has been added to my camera. As a faculty member, my principal focus was my students, a few staff members, my colleagues. As Dean, I get to see the institution as a whole in a way that did not seem possible before. In the Dean's job, one cannot help but see each constituent element of the Law School — students, faculty, staff, alumni and friends — in relation to the others, and in relation to broader constituencies such as the legal community, the University, and other law schools. As I write this message, we are two weeks away from the first day of classes. Last year at this time, I would have been putting the finishing touches on my syllabi and handouts, preparing for classes, and rushing to complete my summer research project. Instead, I have spent the last few weeks hiring three wonderful new staff members (Director of Administration Louise Wechsler, Registrar Tracy Gowen and Assistant to the Dean Kellie DeMers whom you will meet in this issue), meeting with members of the Board of Visitors and the Alumni Board, addressing county bar associations, making arrangements for the Coffin Lecture, reviewing the student records of the members of the Class of 2001, and signing my name to what seems like hundreds of documents.

Last week, I was also privileged, as Dean, to see an e-mail that I likely would not have been privy to as a faculty member. It was sent by one of our current students, who is clerking this summer at a large, big-city law firm, to her professor: "Not too long ago I was handed a huge [human rights] case file that a handful of associates were working on....My instructions were to 'find a cause of action.' Remembering first year civil procedure, I went back to first principles of 'thinking procedurally.' To make a long story short, I had to

deflate their balloon....Everyone had gotten tied up in the merits and no one thought about standing, duties, the procedural posture of the case.... Although no one was happy with the news, I got huge brownie points for identifying problematic procedural issues within an extremely sympathetic case....When asked how I can do this kind of work with only two years of law school under my belt, I keep giving the same answer over and over again: I had an influential civil procedure professor."

This is where the professor's job and the Dean's job converge. As a professor, this is the kind of letter you dream about. As Dean, I dream about such letters, too, for they express more clearly than any words of mine ever can the superb teaching and mentoring that makes Maine Law such a special place.

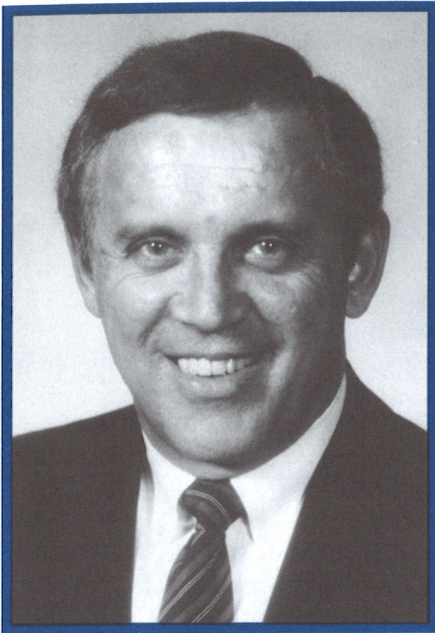
Will I continue to teach? Yes, I will but only one course a year. Reducing my teaching responsibilities is really the only negative aspect of this job so far. But, the biggest task of the fifth Dean is to secure the financial resources that are essential to strengthening the Law School and ensuring that it can confidently cross the now-famous bridge into the 21st century. This task requires that I be out of the office more often than effective classroom preparation permits. Which reminds me — please respond generously to the 1998 Annual Fund appeal. If you have given in the past, consider increasing your gift this year. If you have never given, please do so now. The fact of your gift matters as much as the amount. The rate of alumni participation sends an important signal to others from whom we seek support about the quality of our institution. To borrow a slogan from my Chicago days: give early and give often!

I know many of you already, and I look forward to meeting many more of you in the months and years ahead. I cannot stress enough how important each of you is to the Law School. Your energy and ideas make a difference and help move us forward.

Colleen Khoury

Colleen A. Khoury
Dean

Honorable Warren Rudman to Present Seventh Annual Coffin Lecture



Honorable Warren B. Rudman

Warren B. Rudman will present the seventh annual Coffin Lecture on Law and Public Service on Thursday, October 1, 1998. The lecture, "The Law of Unintended Results; The Independent Counsel Law and Other Interesting Folklore from Washington," will be delivered in the auditorium of the Portland Museum of Art at 7:00 p.m.

Warren Rudman represented the State of New Hampshire in the United States Senate for two terms, from 1980 until 1992. Rudman formed the Concord Coalition in 1992 with former Senator Paul Tsongas and former Commerce Secretary Pete Peterson. This non-profit organization is a "grass-roots movement to awaken the American people to the gravity of the nation's fiscal crisis." During his years in the Senate, Rudman developed a deep concern about the inability of policy makers to resolve the country's financial and fiscal problems.

In 1985, Senator Rudman co-authored the Gramm-Rudman-Hollings deficit reduction law. In a time of a rapidly growing federal budget and huge federal deficits, this legislation inserted institutional discipline and

order on the federal budget process as a means of reducing the federal deficit. As he was beginning his second term in the Senate, Rudman was appointed to serve as Vice-Chairman of the Senate Select Committee investigating arms transfers to Iran. In this position, he played a key role in organizing and directing the investigation of the Iran-Contra affair. He "earned bipartisan recognition for his aggressive, thorough and objective pursuit of the facts." For the final seven years of his Senate tenure, Rudman served on the Ethics Committee, presiding over numerous investigations and hearings including the Keating Five. He was active in fashioning ethics legislation and served on the Senate Impeachment Panel for Judge Claiborne and Judge Alyce Hastings.

Senator Rudman served on the Senate Appropriations Committee, the Intelligence Committee, the Governmental Affairs Committee and the Permanent Subcommittee on Investigations.

A lifelong resident of New Hampshire, Rudman graduated from Syracuse University and served in the U.S. Army as a combat platoon leader and company commander during the Korean War. Following his military service, he attended law school, receiving his LL.B. from Boston College Law School. Rudman began his career practicing law in his hometown of Nashua, New Hampshire; in 1970, he was appointed Attorney General of New Hampshire. He served as president of the National Association of Attorneys General. Upon completing his term as Attorney General, Rudman joined the Manchester, NH-based law firm, Sheehan, Phinney, Bass & Green.

Rudman is a partner in the international law firm, Paul, Weiss, Rifkind, Wharton & Garrison. Rudman is also a member of the Board of Directors of the American Stock Exchange, Allied Waste, Chubb Corporation, Collins & Aikman, Prime Succession, and the Raytheon Company, and a Trustee of several funds of the Dreyfus Corpora-

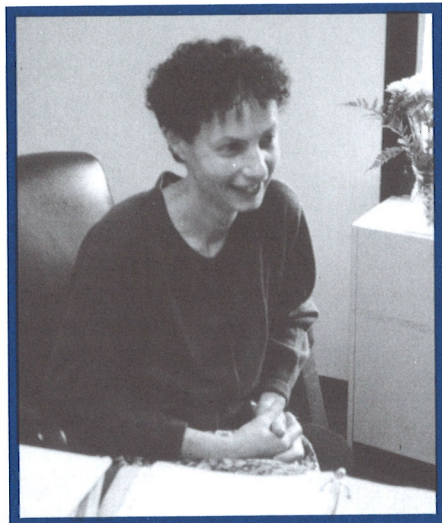
tion. President Clinton appointed Senator Rudman as a member of the President's Foreign Intelligence Advisory Board in the fall of 1993 where he now serves as Chairman. In addition, he was appointed by the President to serve as Vice Chairman of the Commission on Roles and Capabilities of the U.S. Intelligence Community. In 1997 he was asked by Secretary of Defense, William Cohen, to be a special advisor on the issue of the Gulf War Syndrome and, in 1998, he was appointed by President Clinton to serve as Chairman of the Special Oversight Board for the Department of Defense Investigations of Gulf War Chemical and Biological Incidents. Rudman is the author of the book, *COMBAT: Twelve Years in the U.S. Senate*.

The Coffin Lecture honors Judge Frank M. Coffin, senior judge of the United States Court of Appeals for the First Circuit and long time friend of the Law School. Members of the judiciary, attorneys, leaders in government and public causes, and scholars in law and related disciplines are invited to speak at the Coffin Lecture to address the many ways in which law and the legal profession are involved in public service. Past lecturers have included: former Secretary of Labor, author, and professor Robert Reich; Alvin J. Bronstein, founding executive director of the National Prison Project of the American Civil Liberties Union; U.S. Solicitor General Drew S. Days, III; Judge Patricia M. Wald, of the U.S. Court of Appeals for the D.C. Circuit; Professor Arthur Schlesinger, jr., prominent historian, professor of humanities and Presidential advisor; and the late Joseph L. Rauh, Jr., prominent attorney and civil liberties leader who prepared the inaugural Coffin Lecture shortly before his death. U.S. Supreme Court Justice William Brennan joined Rauh's wife, Olie, and son, Michael, in presenting the speech.

The Coffin Lecture is free and open to the public. ■

New Staff Hit The Ground Running

The Law School said good-bye to three long-time members of the staff in June (see June issue of the *Alumni Quarterly*). Over the summer, new staff members have arrived and are already feeling part of the Law School community.



Louise Wechsler, Director of Administration

Louise Wechsler is the new Director of Administration at the Law School. She brings more than 20 years of experience in higher education to the job. A native of Bridgeport, Connecticut, Louise graduated from Antioch College in Ohio, where she met her husband, Barton Wechsler. Bart became the Dean of the Muskie School in January, and the Wechslers moved to Maine in December, 1997.

For the past two years, Louise has been the Assistant Director of Graduate Business Programs at the University of Illinois at Chicago. Throughout the spring of 1998, Louise continued to complete various projects and tasks in Illinois by telecommuting. Before moving to Chicago, Louise and her husband spent ten years at Florida State University in Tallahassee. Her administrative and management positions in Florida involved fiscal, administrative, personnel and program management activities. For several years she managed the Florida State continuing education program which involved summer study

at Oxford University. "I spent three wonderful summers at Oxford with the program," said Louise.

Louise said that she likes being able to provide service and support and wants to create a comfortable working and learning environment for everyone at the Law School. She said that the biggest surprise was to learn "how poor we are." She is enjoying meeting new people, learning new systems, and exploring and learning about her new work environment. She thinks her biggest challenges are "fostering systems that will result in the smooth functioning of the school, getting the Law School through the 2000 conversion and dealing with the serious budget realities of the Law School."

Louise said that it has been a "life-long fantasy to live on the coast of Maine," and counts Sarah Orne Jewett, May Sarton and other Maine writers among her favorite authors. She and her husband live in Portland with their yellow Labrador and three cats. Outside of work, Louise enjoys hiking, reading, and cooking.



Kellie DeMers, Administrative Assistant to the Dean

Kellie DeMers began work as the Administrative Assistant to the Dean in mid-July. For the past two years she has worked as administrative assistant in the Small Business Development

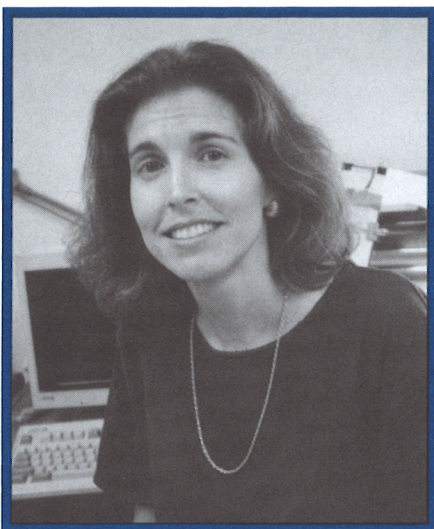
Center at Wilkes University in Pennsylvania. "I like working in a university environment," said Kellie. "I like the friendly people, I like the atmosphere, and it makes it easier for me to further my education." Kellie studied music therapy in college, and applied her studies in a clinical setting, working with Alzheimer's patients as well as those with mental and developmental handicaps. "I didn't have the temperament to continue in that field," said Kellie.

Prior to working at Wilkes University, Kellie worked in a shopping mall in the marketing and public relations department. "I became the Assistant to the Manager, and enjoyed public relations work," said Kellie. She is currently working towards an Associate's degree in liberal arts and a Bachelor's degree in communications at the University of Southern Maine.

When asked what brought her to Maine from Pennsylvania, Kellie said she and her husband decided to move when her husband got a job here. "My cousin lives in Maine, so we had made a number of visits to Maine over the past couple of years," said Kellie. "I had some doubts about the move because I was worried that I would not be able to find an interesting job. I am so happy that this position was open just at the right time for me."

Kellie's hobbies are dressmaking/sewing and computers. She makes many of her own clothes as well as her husband's clothes. For six years in Pennsylvania she was a Girl Scout leader and enjoyed teaching sewing to the girls. Kellie also plays the clarinet, flute, and guitar.

Tracy Gowen began her job as the Registrar in the middle of August. "There is a lot to learn in this job," said Tracy, "and I'm trying to learn as much as I can before the students arrive." The Registrar keeps all student records, handles all registration and pre-registration, is the Law School administrator of exams, compiles all student grades, is responsible for student record keeping, reporting, and statistical



Tracy Gowen, Registrar

analysis, processes admission applications, and will be responsible for coordinating and planning the Law School's expanding admissions recruiting efforts. "I like variety," said Tracy, "and the first 5 days of this job have been all variety!"

Tracy brings strong credentials and experience to her position. A native of

Scarborough, Maine, she graduated *summa cum laude* in 1985 from Colby College with a major in Math. Following college, she went to work for KPMG Peat Marwick in their medical management group. "I realized that I did not want to be an accountant, so I left Peat Marwick and went to work in the computer field," she said. A college roommate had married and moved with her husband to his home state of Kansas, and was working at Sterling College. Tracy's friend suggested that she come to work at Sterling College as a Resident Director and Director of Student Activities, which Tracy did for 3 years.

Tracy then decided that she would like to become a high school math teacher, using her college major and her experience working with students. "After several months as a high school teacher in St. Louis," said Tracy, "I realized that teaching was not the right career for me." On a visit back to see her friend in Kansas, she investigated an opening in the financial aid office at

Sterling College, and accepted an offer as the Assistant Director of Financial Aid.

In 1996, Tracy returned to Maine and enrolled in the M.B.A. program at U.S.M. She has completed all her coursework and is now working to complete two independent study projects. While she was pursuing her graduate studies, Tracy worked as a graduate assistant for Professor Bruce Andrews. "I enjoyed my graduate program," Tracy said, "and it helped me realize that I wanted to continue working in academia. I like the people I work with in the academic world, and I like the feeling that I am helping other people further their education."

Tracy enjoys reading, watching old movies, and learning new things. She also enjoys riding antique bicycles in parades, and is a member of the antique bicycle organization called "The Wheelmen." She also recently joined the First Baptist Church in Portland. She has a cat, Bagheera, named after a character in *The Jungle Book*. ■

Thomas Shaffer Is Godfrey Visiting Professor

Notre Dame Law Professor and former Dean Thomas Shaffer is the Distinguished Godfrey Visiting Professor of Law at the Law School. Professor Shaffer will be teaching Elder Law and Professional Responsibility during the 1998 fall semester. "We at the Law School are fortunate to have someone of Tom Shaffer's stature with us this semester as our Godfrey Visiting Professor," said Dean Khoury. "He is just the sort of teacher, scholar and human being that the Godfrey Fund donors had in mind when the Fund was established. His presence enriches our program and our community."

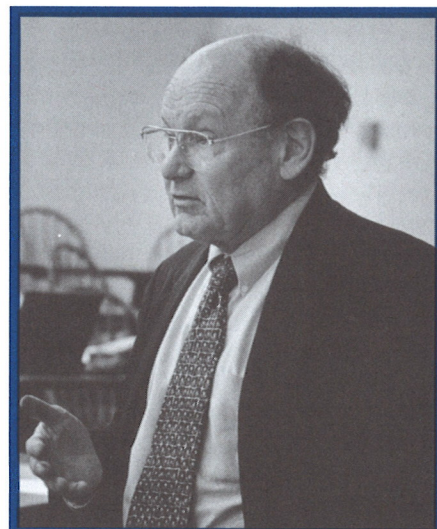
Shaffer is the Robert E. and Marion D. Short Professor Emeritus of Law at the University of Notre Dame School of Law. He began his teaching career at Notre Dame in 1963 after spending two years in private practice. Shaffer served as Dean of Notre Dame Law School from 1971 to 1975. In 1991, Shaffer began teaching in the Notre Dame

Legal Aid Clinic. Although he retired from teaching in 1997, Shaffer continues to be involved with the Notre Dame Clinic. "I really enjoy my involvement in the Clinic," said Shaffer, "because I think I can really help students learn and I can really help clients. I can also get across my own special approach to legal ethics."

Shaffer taught Professional Responsibility at the University of Maine School of Law in the summer of 1983, and again in the summer of 1987. "My Notre Dame law student [University of Maine School of Law Professor] Tom Ward, has kept in touch with me through the years," Shaffer reflected, "and I have always liked the Maine Law School. There are not many small, high quality law schools left, but Maine is one, and it is a wonderful law school with a very friendly and supportive community. My wife really likes it in Maine, so when the opportunity arose to come here for a semester, we were

delighted to accept." Professor Ward is teaching at Notre Dame during the fall semester, and he and Tom Shaffer have "exchanged" offices and houses!

Shaffer grew up in Colorado and received his undergraduate degree from



Thomas Shaffer, Visiting Godfrey Professor

Photo: USM Publications Department

the University of Albuquerque ("a school which no longer exists," said Shaffer). "A lot of people in my family were 'cowboys'," Shaffer laughed, "but I had no talent for being a 'cowboy'." Shaffer received his J.D. *cum laude* from Notre Dame Law School. He graduated first in his law school class and served as editor-in-chief of the law review. "I didn't meet a lawyer until my first day of law school," said Shaffer, "and my family really thinks that I am hopelessly 'back east' because I am a lawyer."

Shaffer enjoys helping students find their way through the maze of legal education. He particularly likes clinical teaching because there is more contact and more opportunity to devel-

op a relationship with students. "I like to think that we train people to tip things over," said Shaffer. "Most of our founding fathers were lawyers. They tipped over a lot of things."

Shaffer is a leading scholar of legal ethics and is the nation's most prolific legal author. He has written nearly 300 scholarly works in his varied areas of expertise including estate planning, law and religion, legal ethics, and most recently, clinical teaching and legal counseling. He coauthored the book *American Lawyers and Their Communities* with his daughter, Mary. He also wrote *American Legal Ethics*, and *Planning and Drafting Wills and Trusts*. He served on the faculty of Washington & Lee University Law

School for nine years, and has been a visiting professor of law at the University of California at Los Angeles, at the University of Virginia, and at Boston College Law School.

Godfrey Professor Shaffer will deliver a lecture on legal ethics — "The New Legal Ethics" — on Thursday, November 12 at the Law School. Alums and friends of the Law School are welcome and encouraged to attend.

Shaffer is married and he and his wife have one daughter, seven sons, and twelve grandchildren. His daughter lives in Paris, and his sons live all the way from New York City to Tacoma. Professor Shaffer loves gardening and baseball. He is a Chicago Cubs fan. ■

Faculty News

Professor David Cluchey directed the St. Petersburg Summer Law Program in St. Petersburg, Russia from June 28 to July 28. The St. Petersburg Program is an ABA accredited summer law program. This summer the program offered courses in International Monetary Fund/World Bank, Russian Business Planning, International Environmental Law and International Trade Law. Professor Cluchey taught the International Trade Law course. After leaving Russia, Professor Cluchey represented the Maine Bar Foundation at the meetings of the National Association of Interest On Lawyers Trust Accounts (IOLTA) Program in Toronto. He currently serves as president of the Maine Bar Foundation. The meetings focused on the future of IOLTA programs in light of the recent Supreme Court decision finding a client property interest in interest earned on funds deposited in IOLTA accounts.

Professor James Friedman is spending the fall of 1998 as a Visiting Professor of Law at the United States Military Academy at West Point where he is teaching Constitutional Law. He will also continue his research with the Army

on issues of counter-terrorism. He will return to the University of Maine School of Law for the Spring 1999 semester.

Professor Michael Lang taught a course on Ethics in Tax Practice at the Law School during the spring of 1998. This is one of the few times an ethics course has been offered that focuses on a particular field of law practice. In July Lang taught a seminar on return-preparer obligations for the Thomas College M.S. Taxation Program. Professor Lang was the editor of the American Bar Association Section of Taxation's 1998 Annual Report on Important Developments, which appears in the Summer 1998 issue of *The Tax Lawyer*. Earlier this year, he represented the University of Southern Maine Faculty Senate on the Search Committee for a Vice President for Advancement. Professor Lang is Vice-Chair of the USM Faculty Senate for the 1998-1999 academic year.

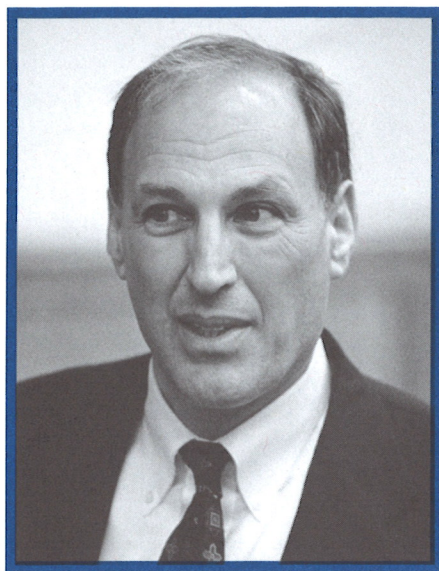
On May 21, **Professor Michael W. Mullane** received the Thomas P. Downing Award at the Maine Bar Foundation's Volunteer Lawyers Project *pro bono publico* awards ceremony in Augusta. Mullane received this award along with Mary Henderson, Director of the Maine Equal Justice Project. The award recognizes those in the legal services profession who have made significant contributions to Maine's underprivileged citizens.

Professor Alison Rieser presented a seminar in February, 1998 entitled "Using Markets to Assign Value to Common Pool Resources: The Individual Fishing Quota" at New York University Law School's Symposium on Preserving Open Space and Agricultural Lands. In Leavenworth, Washington, in May, 1998, she presented "The Legal Framework for Biological Control of Introduced Marine Species" at a workshop on marine introduced species. The workshop was sponsored by the Marine Conservation Biology Institute and People for Puget Sound. Rieser's article "Property Rights and Ecosystem Management in U.S. Fisheries: Contracting for the Commons?" appeared in Vol. 24 of the *Ecology Law Quarterly*. Her article "The Evolution of Ocean Law," coauthored with Jon L. Jacobson, appeared in a special issue of *Scientific American* in August 1998. The third edition of her casebook, *Coastal and Ocean Law*, coauthored with Professors Joseph Kalo, Richard Hildreth, Donna Christie, and Jon Jacobson, is being published by West Publishing Co., and will be available in December 1998.

Professor Martin Rogoff recently visited Germany as a guest of the German government. While there he took part in discussions with officials in
(Continued on Page 8)

The German Contribution to the Making of Europe

by Professor Martin Rogoff



Professor Martin Rogoff

During the last decade Germany has taken the leading role in promoting European integration. The Maastricht Treaty of 1992, which contemplates the eventual political, strategic, and monetary union of Europe, was largely the product of German efforts, directed ultimately at making future war in Europe impossible by firmly embedding a populous, economically-dominant, strategically-placed, reunified Germany within a united Europe. That has been the guiding vision of Germany's long-serving Chancellor Helmut Kohl. His political leadership, both at the European level and within Germany itself, has been primarily responsible for the great leap forward of European integration in the 1990's.

There have been other less visible, but equally important, developments in Germany in the legal sphere that have moved the European project forward and have contributed enormously to its success. On a recent visit to Germany as guest of the German government, I had the opportunity to discuss these developments in detail with a number of high-ranking officials in the Office of the President, the Ministry of Foreign Affairs, and the Ministry of Justice, as well as with a member of Germany's Federal Constitutional Court (the *Bundesverfassungsgericht*), members of

the German Parliament, state and local government officials, university professors and research-institute experts. The picture which emerged was highly encouraging, and demonstrated to me the importance of law and legal institutions, as utilized by skilled legal professionals, in giving concrete, practical form to the political aspirations of peoples following the lead of enlightened and forward-looking statesmen. I will discuss two examples: (1) the role of the *Bundesverfassungsgericht* in influencing the development of the case law of the European Court of Justice, and (2) the impact that the federal structure of Germany has had, and is continuing to have, on the structural evolution of the European Union (EU) and on the enhancement of democracy at the European level.

(1) The *Bundesverfassungsgericht's* dialogue over the years with the European Union's judicial arm, the European Court of Justice (ECJ), has led the ECJ to fashion a case law that is compatible with the constitutional laws and fundamental legal principles of the EU's Member States. Most notable in this regard is a decision of the German Constitutional Court in 1974 (the "*Solange I*" decision) in which the Court said that "so long as" a "catalog of fundamental rights" did not exist at the European level, the German Court would retain the final say as to whether a European measure was compatible with the fundamental rights recognized by the German Constitution. Reacting to this decision, over the next several years, the ECJ developed and applied a European law of fundamental rights (often drawing upon principles from German law), which in turn led the *Bundesverfassungsgericht* in 1986 (the "*Solange II*" decision) to hold that "so long as" European law now ensures effective protection of fundamental rights, the German Court will no longer review European law and will accept it as supreme law in the Federal Republic of Germany.

The *Bundesverfassungsgericht* has recently made use of a similar strategy

in its famous "Maastricht" decision of 1993. In that case, the German Court held that it had the power to determine whether European legislation was within the delegated competence of the EU or not. If not, such legislation would not be binding in Germany. This decision of the German Court expresses the common concern of Member States that EU legislative and executive organs are interfering excessively in their internal affairs (and thereby violating the principle of "subsidiarity" adopted in the Maastricht Treaty). It is now up to the ECJ to engage in serious review of EU action to protect the sphere of Member State competence contemplated by the "subsidiarity" principle of the EU's "Constitution" (the Treaty of Rome). Recent ECJ decisions indicate that once more the ECJ is following the lead of the *Bundesverfassungsgericht* and moving toward the development of a case law protective of the legal competence of EU Member States.

(2) Germany is a federal state, one of the few in the European Union. The 16 German *Länder* (as the German states are called) possess, under the German constitution, significant legislative, executive, and judicial powers. As more and more power moves from the nation-state to the European level, the question arises as to what role, if any, the *Länder* are to play in this new political order. Germany has developed a number of creative answers to this question, which allow for significant participation of the *Länder* in the formation and implementation of German policy with regard to the EU. In fact, the activities of the German *Länder* at the national and European levels have contributed in significant ways over the past few years in giving rise to a strong regional movement in many EU countries, particularly in Spain, Italy, France, and the United Kingdom.

In December 1992, the German Constitution was amended to allow the *Länder* to participate in the formation of German policy on EU matters. According to Article 23, the *Bundesrat* (the Upper House of the German

Parliament, composed of representatives of the *Länder*) "shall be involved in the decision-making process of the Federation in so far as it would have to be involved in a corresponding internal measure or in so far as the *Länder* would be internally responsible." On matters which are essentially within the competence of the *Länder*, the opinion of the *Bundesrat* shall prevail, and, significantly, German negotiations at the EU level shall be entrusted to a representative of the *Länder*. A detailed agreement between the central government and the *Länder* prescribes how the cooperation between the central government and the *Länder* mandated by Article 23 is to work in practice.

This arrangement, while extremely cumbersome in operation, allows for meaningful participation of the *Länder* in the formation of policy at the European level. It gives government officials, executive branch personnel as well as *Länder* parliamentarians, throughout the nation an opportunity to participate directly in European affairs and thereby brings the EU much closer to the people. The EU has been much criticized for its "democracy deficit," as the European Parliament has not to date played a significant role in the European legislative process (although its role can be expected to grow significantly in the near future). The unique arrangement contemplated by Article 23 of the German Constitution goes far in the direction of increasing democratic participation of the German people in European affairs and might well serve as a model for other Member States.

Furthermore, largely at the urging of the German *Länder*, the EU created a "Committee of the Regions" as an advisory body to the executive and legislative organs of the EU. This Committee, composed of representatives of regional and local bodies, must be consulted on certain matters, and has the power to issue opinions on its own initiative.

The EU is a unique political organization. Although it was created and restructured by successive agreements among the Member States themselves, much of its ongoing institutional and doctrinal development has been

brought about by interaction between European-level, national-level, and sub-national level institutions. In this complicated mix, the influence of German legal institutions (like the *Bundesverfassungsgericht*) and legal doctrines (like fundamental rights and federalism) has been paramount. German influence has produced a more participatory EU and an EU more committed to fundamental rights; thus an EU that has more legitimacy in the eyes of Europeans and therefore an EU that is more likely to succeed in the long run. ■

Faculty News

Continued from Page 6

the Office of the President, the Ministry of Foreign Affairs, and the Ministry of Justice, as well as with members of the constitutional court, state and local government, and Parliament. The discussions centered around Germany's role in European integration in the 1990's. (See article in this issue for more details.) In August, Professor Rogoff attended the inauguration of Steven A. Hammond '77 as President of the Union Internationale des Avocats (International Association for Lawyers) in Nice, France.

Professor Thomas Ward addressed the Board of Trustees of the Licensing Executive Society of North America at their annual meeting in Boston on June 25. His address included a report on his recent work dealing with the use of intellectual property as collateral and the effect of bankruptcy on intellectual property in its various configurations. Professor Ward also reported on his involvement with legislative efforts to establish a central federal registry for security interests in patents, copyright and trademark registrations. Professor Ward will be teaching Secured Transactions and Commercial Law Sales at the University of Notre Dame School of Law this fall. He will return to the University of Maine School of Law for the Spring 1999 semester.

Professor Jennifer Wriggins presented a paper at the Law and Society Association annual meeting in June in Aspen, Colorado, entitled "Parents, Children, Marriage, and the Law of *Parens Patriae*." She is also publishing an article, "Maine's 'Act to Protect Traditional Marriage and Prohibit Same-Sex Marriages': Questions of Constitutionality Under State and Federal Law," in the *Maine Law Review*. A condensed version of Wriggins' article, "Genetics, IQ, Determinism, and Torts: The Example of Discovery in Lead Exposure Litigation," originally published in the *Boston University Law Review*, is being published in the Fall 1998 issue of *Gene Watch*, a bulletin of the Council of Responsible Genetics.

Professor Melvyn Zarr served as co-chair of a committee which drafted model jury instructions for criminal cases conducted in federal district courts in the First Circuit. The committee spent more than three years drafting these model instructions. Chief Judge D. Brock Hornby organized and assisted the committee. Neale A. Duffett '80 also served on the committee. West Publishing Company published the model instructions in March 1998.

Professor Donald N. Zillman is on sabbatical during the summer and fall of 1998 in order to complete work on a text in Energy Law to be published by Rocky Mountain Mineral Law Institute in January 1999. In addition to writing chapters on an overview of energy, the legal regulation of energy and nuclear energy, Professor Zillman and Professor Jay Hickey from Holstra are primary editors of the text. In July, Professor Zillman completed a revision of *Maine Tort Law* and will continue research on the legal bases of civil-military relations. In August, he joined a group of academic and civilian leaders to visit the basic training programs of the United States Air Force. The two-day trip to Randolph and Lackland Air Force Base near San Antonio, Texas provided an opportunity to review the Air Force policy of gender integrated training. ■

Steve Hammond Heads International Law Association



Professor Martin Rogoff and Steven A. Hammond '77

Steve Hammond '77 was sworn in as President of the Union Internationale des Avocats (UIA) on Monday, August 31, 1998 at the closing ceremony of the organization's annual meeting in Nice, France. The inauguration was attended by nearly a thousand people including the Presidents of the American Bar Association and the Bar Association of France. Hammond is only the second American to serve as President and also one of the youngest Presidents in the UIA's history. Hammond has served one year as President-Elect.

The UIA is an international Bar Association with over 300 collective members, in over 100 countries worldwide, representing approximately two million lawyers, and nearly 3,000 individual members. Founded in 1927, the UIA is the world's oldest association of Bars, Bar Associations, and Law Societies. Hammond describes the UIA as "global in influence, universal in scope, and human in scale." Specifically, the main objectives of the UIA are to promote international exchange among bars, to work in the interest of international peace and justice, to foster respect for human rights, and to defend the moral and material interests of members of the legal profession. The UIA has six official languages — Arabic, English, French, German, Italian, and Spanish.

The three working languages are English, French, and Spanish. Hammond is fluent in all three of the UIA's working languages and flawlessly used all three in his inaugural address.

Hammond says "the principal challenge which confronts the UIA today is to understand how the accelerating pace of technological change will alter both the shape of the legal profession and of society at large." He has several initiatives for the organization which will address infrastructure needs for the next millennium and will make use of new technologies. The UIA is developing a Web site which will not only facilitate the exchange of material internationally, but will also provide a central "hub" for the Bars, Bar Associations and Law Societies and their members who belong to UIA. This will greatly promote and encourage dialogue and direct contact, in different languages, among the organized legal profession worldwide.

Hammond said that the UIA "will host a briefing at United Nations headquarters in New York this November at the time of the Fiftieth Anniversary Celebration for the Universal Declaration of Human Rights." At its New Delhi Congress in November 1999, the UIA will have a major program on human rights. It is their intent to provide practical training for lawyers who want to assist domestic

and international organizations in investigating human rights violations.

Hammond is a partner in the New York City law firm of Hughes Hubbard & Reed LLP. It is an international law firm with offices in Paris and four major U.S. cities. Hammond's practice focuses on international arbitration and litigation.

Hammond has deep ties to Maine. A native of Industry, Maine (population 250), he graduated from Bowdoin College. Hammond was a part of the international moot court team at Maine Law, competing in the Jessup Cup Competition. His team won "best brief" and finished third overall in the national competition. The Law School Faculty passed a "Resolution of Congratulations" to Hammond at its August 31 faculty meeting. ■

Upcoming Events

Alumni Association	
Board Meeting	September 16
Annual Fund	
Phonathon	September 22
Friends &	
Family Day	September 25
20th Annual Law School	
ROAD RACE	September 25
7th Annual	
COFFIN LECTURE	
Warren B. Rudman	October 1
Board of Visitors	
Meeting	October 30
Alumni Association	
Board Meeting	November 4
Godfrey Lecture	
Tom Shaffer	November 12
2nd Annual Fund	
Phonathon	November 18
Annual Law School	
Pageant	December 4

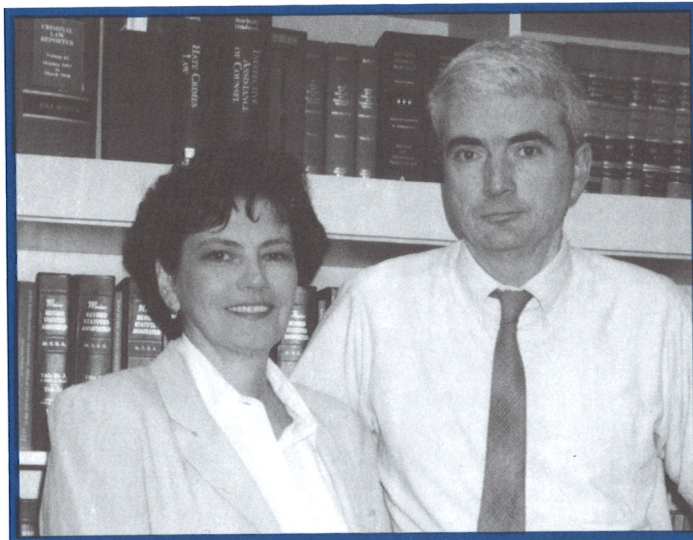
Project Exodus

*By Mary P. Nelson
Director of Development
and Alumni Relations*

"I have been a prosecutor for over 20 years," said District Attorney Stephanie Anderson '80, "and I have seen how drug and alcohol abuse leads to criminal activity and lack of self esteem. We want to develop a system in Maine which will change people's habits, beliefs, and ultimately their destiny. We know that treatment, combined with accountability, can make a profound change among the addicted criminal offender population." Anderson was discussing why she is so passionate about Maine's new Drug Court, Project Exodus.

Substance abuse is integrally entwined in the criminal justice system. Of the 1,600 people in Maine prisons (not jail, but prison), approximately 1,360 (85%) are addicted. Of the 7,500 people on probation in Maine, approximately 6,375 (85%) are addicted. Statistics reveal that addicted offenders commit approximately 100 crimes per year. Trying to break the habits and behaviors of addicted people presents a huge challenge. "Defendants frequently offer up a substance abuse defense," said Anderson, "and it was clear to me that merely putting people in jail for their crimes was not resulting in changed behaviors and patterns when they got out of jail." Neale Duffett '80, one of five members of the Project Exodus Board who has been involved from the beginning, added, "Addicts continue to offend and offend and offend unless their addiction is addressed." In 1995, Anderson applied for a planning grant from the United States Department of Justice. When she was awarded a \$35,000 planning grant, she began in earnest to assemble a team to design a drug court and substance abuse program for addicted people caught in Maine's criminal justice system.

Maine was late in establishing a drug court. "Through my membership in the National Association of District Attorneys," said Anderson, "I learned a lot about the effectiveness of the 400+



*District Attorney
Stephanie P.
Anderson '80 and
Attorney Neale A.
Duffett '80*

drug court programs, in 48 states, which are operating or in the late planning stages."

Anderson contacted Chief Justice Daniel Wathen '65 and asked him to designate two judges to help design Maine's program. Superior Court Justices Robert E. Crowley and Roland A. Cole '68, Neale A. Duffett '80, a criminal defense attorney who had also been a prosecutor, and Dave McDermott from Day One, a substance abuse counseling and treatment center, became Anderson's planning committee. "Stephanie was the only true believer in the beginning," said Duffett, "but I think that we have all come to believe in this program and its potential to break the cycle of addiction and criminal offenders." It took two years of careful planning. A year ago, Maine's program was awarded a \$417,000 federal grant, \$100,000 of which had to be local matching funds. The federal funds pay for the program director's salary, for the contract with Day One to provide rehabilitation treatment, and for urine testing. The state funds pay for the judges assigned to the court, staff support for the director, and office supplies and support originating from the DA's office. The District Attorney's Office hired an Assistant District Attorney, Andrew Bloom '93, to be the Director of Project Exodus.

Project Exodus is a treatment program for nonviolent, substance-abusing criminal defendants. It is designed to provide intensive treatment and services

to substance abusers, thereby enabling participants "to get and stay sober, refrain from criminal conduct, and honor their civic responsibilities such as supporting any dependents, maintaining employment, and paying taxes" (from the Project Exodus mission statement).

In January, 1998, Maine's only Drug Court opened with three program participants. The District Attorney's Office is the "gatekeeper" for identifying people to enter the program. Each participant in the program has to 1) plead guilty to his/her crime (which must be a nonviolent crime and usually is theft, shoplifting, possession or trafficking in drugs, writing fraudulent prescriptions or forging checks or the like); 2) undergo a screening process; 3) sign a contract agreeing to full involvement in an intensive 10-12 month treatment program including submitting to frequent and random drug testing, and attending individual and group therapy sessions as well as outside group addiction treatment programs such as Alcoholics Anonymous and Narcotics Anonymous; 4) attend Drug Court on a weekly basis; 5) work on personal development issues, including life and job skills training; and 6) commit to staying "clean" from drugs and to changing his/her attitudes, his/her habits and his/her life. There are now 30 participants in Project Exodus.

"We named the program Project Exodus," said Anderson, "because the Exodus in the *Bible* was the 'way out'

of bondage in Egypt for the Israelites. We are providing the 'way out' of the bondage of drug addiction and criminal behavior, but these people have to walk the path themselves. We are trying to show the way, but they have to do the hard work themselves."

Defendants participate in the program pursuant to post-conviction bail with many strict conditions. If the defendant fails to comply with the conditions, he or she may be expelled, and sentencing happens immediately. Unlike most drug court programs, Project Exodus targets people with heroin and cocaine dependencies, even though these are the most difficult addictions to shed.

Project Exodus has a separate docket which is called on Friday mornings at 9:30 a.m. The role of the judge, prosecutor and defense attorney are non-traditional. The hallmark of the program is a direct relationship between the criminal offender and the designated Project Exodus judge. The judge has full reports on all participants and monitors their compliance and progress on a weekly basis. Because of the plea agreement and bail contract, the judge has the authority to impose sanctions of graduated severity for noncompliance with any condition of the program. Sanctions can be imposed immediately, including temporary revocation of bail or expulsion from the program and return to jail for fulfillment of one's sentence.

"The real reason I'm doing this," said Anderson, "is for these people's kids. Kids raised, or not raised, by drug addicted substance-abusing parents are (more likely) to become drug-addicted substance-abusing adults. It is the morally right thing to do to try to help these people break the cycle of substance abuse and criminal behavior. They can learn to be responsible, law-abiding members of society."

All Project Exodus participants are required to attend the entire Friday morning docket at the Cumberland County Courthouse. Each person is called before the judge individually, and s/he must report on how her/his treatment programs, job search and the like are going. One of the early offend-

ers to join the program, Nimoy Gallow, commented about the program in a recent article in the *Maine Sunday Telegram*. "It blew my mind," he said, "to find a system where people care. You've got a DA willing to work with you and a judge who asks how you're doing. I had to pinch myself and say, 'This is real.' I couldn't believe this was coming from the judicial system. I'm a believer now."

Anderson maintains that criminal offenders who are substance abusers are looking for boundaries and a way out of their addictions. "Participants actually seem to appreciate knowing exactly what is expected of them, and that there will be immediate consequences, including the possibility of incarceration, if and when they fail to comply," said Anderson. They develop a relationship with the judges, the District Attorney's Office, counsellors at Day One, and other members of Project Exodus. They must attend three group sessions a week, complete assigned homework, attend five AA or NA meetings per week, and attend one or more individual therapy sessions per week if needed. They become very supportive of each other, and they do not want to "let down" the judges or the people in their group. "This program holds people accountable," said Anderson, "not just because of sanctions, but because of the immediacy of the sanctions. These people have a history of making very bad decisions. We make it hard for them to make bad decisions and easy to make right decisions."

The morning I attended Drug Court, I saw these concepts in action. Each person stood alone before the judge and told him about what they had been doing during the week and how much progress they felt they were making. Other participants in the program applauded at the conclusion of each report. The weekly meetings, in court on Friday mornings and in a variety of other contacts each week, have yielded a team spirit from these various, vastly different constituencies. Bonds have developed within the group, and when one person fails, they let down the whole group as well as the judge. One participant had failed several drug tests

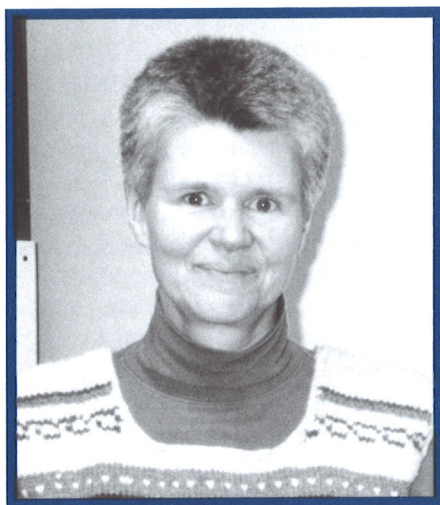
and had not attended the treatment program during the week as scheduled. Justice Cole put him in jail for a week. "People have to want to change," said Anderson, "and they have to be willing to work hard to create a new destiny for themselves. If they do not change their habits of behavior and thought, we can say 'you had your chance'."

Zeruah Zarkowski, one of the three original participants in the program, was a heroin addict with several arrests. She began drinking, moved on to using marijuana, then cocaine, and finally heroin. By the time she was arrested for the third time last November on drug charges, she was using 20 bags of heroin a day just to stay high. Project Exodus accepts not just first-time offenders, but people who have had repeated run-ins with the law and people who are chronic substance abusers. They must demonstrate a commitment to changing their life and to coming clean from their addiction. Zarkowski was quoted in the *Maine Sunday Telegram* article as follows: "When I first went in I thought 'there's no way I'm going to be able to do this.' It was so tough to be positive. I've definitely changed. My attitude has changed from negative to positive. I know now I can do things. Project Exodus has changed my destiny." Zarkowski is expecting a baby at the end of this year. "Project Exodus has really saved two people," said Anderson, "Zeruah Zarkowski and her baby who, but for the program, would have been a heroin baby."

Evaluation of Project Exodus is ongoing. Professor Don Anspach at U.S.M. is studying the program on a cost/benefit basis. Savings to the State based on the cost of incarceration alone are estimated at \$600,000. U.S.M. is also studying the savings in social service costs, welfare benefits, and AFDC expenses. Federal funding will support Project Exodus for approximately 18 months. District Attorney Anderson and Project Exodus Director Andrew Bloom are already aggressively pursuing various funding options and state support for the continuation of the program and the development of comprehensive and effective drug programs throughout Maine. ■

The Legal Writing Program: How It Has Changed

By Professor Nancy Wanderer '90



Nancy Wanderer '90

Twelve years ago, when I arrived at the University of Maine School of Law, I was blissfully unaware that becoming a competent attorney meant I would have to learn a new way of writing. I knew that my professors would do their best to teach me how to “think like a lawyer,” but I did not realize that I would also need to learn how to “research and write like a lawyer.”

On the first day of school, I discovered that I had been placed in a writing group, led by a third-year student writing instructor (one of eight) who would assign various projects and provide feedback on our written work. The writing group of ten met on orientation day to introduce ourselves; looking back now, I can't recall ever meeting again as a group.

During the first week, we went on a library tour and began attending a series of weekly sessions on legal research in the 1-L room with all seventy-five members of our class. As the weeks passed by, attendance dwindled even though we had been given a packet of seemingly impossible research problems to solve using the very library resources that were being described and displayed at the front of the 1-L room each week.

Later in the semester, we were assigned a “memo,” which I took to be the sort of message people send to each other in offices to announce births, engage-

ments, and personnel policies. Eventually I figured out that I needed to include legal material in the memo, and that it had a loftier purpose than those other memos I had written and read in the past. Even so, I found myself flying by the seat of my pants.

I never did buy a Bluebook that year, but managed somehow to get by imitating the citation form I saw in the cases we read. I decided early on that if I didn't know how to cite something, I just wouldn't use it in my memo. In the spring, I used the same approach to write an appellate brief.

At times, I felt guilty about the way I seemed to be skimming the surface in legal writing class, but with five other courses to prepare for — courses in which I would receive a letter grade at the end of the semester — I knew where I had to direct my energy. Besides, I was only receiving two credits for legal writing in the fall semester and one credit in the spring. Knowing that my work would be graded “pass” or “fail,” and believing there was virtually no chance of failing if I put in a modicum of effort, I, like many of my classmates, chose not to work too hard in legal writing and, thus, did not learn very much.

Today, students have a vastly different experience in the legal writing program. Since 1995, when the Law School demonstrated its commitment to the program by hiring a full-time director and making Legal Writing a graded course, students have begun to take legal research and writing seriously. After an initial pilot year, in which I was hired to direct the program with the assistance of five third-year legal writing instructors, the faculty decided to establish the directorship as a permanent position and restructure the first-year curriculum to reflect the importance of legal research and writing. Currently, first-year students take five courses each semester including legal writing, instead of taking five plus legal writing as was true in the past. Students also earn more credit for legal writing than they used to: three credits in the fall and two in the spring.

With this heightened emphasis on legal writing has come a concomitant increase in what is expected from students in the course. No longer can students slide by with a minimum of interest and effort. Students begin the legal writing program on orientation day when they are introduced to their first appellate decision. They attend mini-classes on that opinion taught by three professors with sharply differing viewpoints; they listen to a panel of Law School alumni/ae discussing the opinion from a practitioner's point of view; and they complete their first assignment — a case brief in which they learn to identify the elements of an opinion — by the beginning of the second week.

Rather than acquiring information on a catch-as-catch-can basis, students are assigned to one of five writing groups which meet weekly throughout the year to develop legal research and writing skills. During the first eight weeks, reference librarians work with the writing instructors to teach the basics of legal research. Using a factual scenario that will form the basis for later assignments, students learn about hierarchy of legal sources, identification of research terms, secondary sources, issue formulation, primary authority (cases, statutes, and constitutions), and citation form. Later in the semester, students will use the results of their research to write two documents: an objective memorandum, demonstrating a mastery of legal analysis and citation form, and a client letter, written in plain English, regarding the legal issue at stake. During the second semester, students learn to use electronic research tools.

In addition to meeting with their writing groups, students attend a weekly class taught by the program director. In that class, students learn about legal process, the federal and state court systems, and the fundamentals of legal writing. Students are introduced to an actual Maine Law Court case that will be argued later in the semester. They read the briefs submitted by the appellant and appellee and prepare a bench memo for the “court” using proper



Nancy Wanderer '90 with last year's writing instructors: l to r: Maxwell Branson '98, Deborah Taylor '98, Rose Gower '98, Rebekah Smith '98, Wanderer, and Patrick Mellor '98

citation form. Lawyers for both sides visit the class to talk about the case with the students. Ultimately, the class attends the oral argument *en masse* and, afterwards, discusses their impressions of the court and predictions for the outcome of the case.

During the course of each assignment, students meet individually with both their writing instructors and the program director to discuss their first drafts. They also work together in pairs as "writing partners," critiquing each other's work and offering suggestions for improvement. Finally, they are required to ask a non-law-school, non-lawyer friend or family member to review their client letter for readability.

In the spring, students research and write a brief on an actual case currently on appeal in the United States Supreme Court and argue the case before a panel of three judges. In addition to attending weekly classes on brief writing and oral advocacy and meeting with the director individually or in small groups, students meet with their writing instructors and members of the Moot Court team to develop persuasive arguments to be made orally and in writing. Traditionally, Chief Justice Wathen has spoken to the class about oral advocacy as have local practitioners who have argued before the United States Supreme Court.

The success of the program as it exists today is the result of many factors: the recognition of the importance

of legal research and writing by the faculty, administration, and students; the generous involvement of Maine's legal community, particularly Law School alumni/ae; and an enthusiastic and knowledgeable team, comprised of the director, writing instructors, and reference librarians, who meet weekly to plan and implement the program. Students receive extensive written comments on all drafts of every assignment, and they have the opportunity to meet one-on-one with both the director of the program and their writing instructor several times throughout each semester. Using an integrated, sequential approach, students become proficient in both paper and electronic research. Throughout the course, they are expected to adopt the highest standards in all aspects of legal research, analysis, grammar, punctuation, spelling, citation form,

proofreading, and professional responsibility. Because the program director reads every draft and assigns all letter grades, students can be assured of consistency in grading.

With the program's success, however, have come some difficult challenges. There are simply not enough appropriate rooms for writing group meetings or spaces available for one-on-one conferences between writing instructors and students. The Law School's audiovisual and computer technology is barely adequate to sustain the program's needs. The student-teacher ratio (this year, 20:1 for writing instructors; 102:1 for the program director) threatens to burn out even the most energetic teachers.

Despite these challenges, positive effects of the new legal writing program are being noted throughout the legal community. Feedback from law firms and judges who employ our students has been enthusiastic and appreciative. Students come back regularly, reporting the ease with which they have undertaken summer associate positions and the compliments they have received from lawyers supervising their work. Gone are the days when students expected to breeze through legal writing, barely applying themselves. As one student recently stated, "I know I will need good legal writing skills no matter what type of law I practice, so I am going to do everything I can to master those skills while I am taking this course." The students are working hard now and so is the team conducting the program. With a combination like that, continued success should be assured. ■



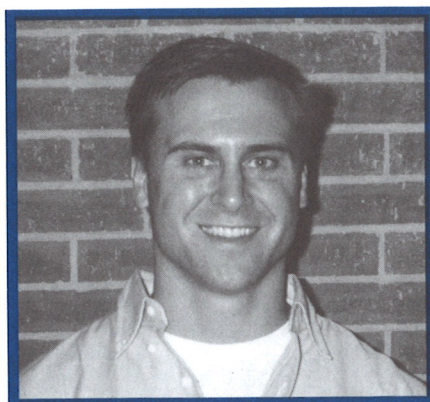
This year's writing instructors are 3Ls: Melissa Perry, Jared Tardy, Tim Boulette, Marc Weintraub, and Lisa Leasure.

University of Maine School of Law Class of 2001

On Monday morning, August 24, 1998, the Class of 2001 registered and began their legal studies. One hundred and two strong, this class becomes one of the largest ever to enroll at the Law School. The larger than expected class size is a result of a higher than normal yield which in turn reflects that Maine Law was more attractive to this group of accepted applicants than is usually the case. Dean Colleen Khoury, greeting a law school class for the first time in her role as the Dean, told the class "The journey before you will not be an easy one. It will be filled with equal measures of joy and frustration. Much will be demanded of you. But... you are well qualified to meet the challenges that lie ahead. You are an impressive group indeed." She told the class that "'The Law' is always changing and growing, and cannot be 'taught' in any real sense. So, all we can do is teach you to teach yourself, to help you make your own way in the law, to help you become... 'practicing scholars' [as Gerry Petruccelli calls lawyers]."

The Class of 2001 is 40% women, and 70% are from Maine. The average age of the class is 28.06. Non-Maine students come from 18 different states, the District of Columbia, and 2 foreign countries. They hold undergraduate degrees from 5 of the 7 campuses of the University of Maine, from Bowdoin (4), Bates (1) and Colby (1), from Harvard, Yale, and other Ivy League schools, and from public and private colleges and universities around the country. A number of students have graduate degrees, and many have worked in a variety of different jobs before deciding to attend law school. The following "snapshots" of six people in the Class of 2001 will, hopefully, bring the newest law students to life for you.

Adam Cote grew up in Sanford, Maine, and graduated from Colby College in 1995 with a major in international studies. A month before his Colby graduation, a former Colby trustee suggested to Adam that he consider leaving his "comfort zone" in Maine for a couple of years before entering law school. Adam took the advice to



Adam Cote '01

heart, and moved to central Florida in the summer following his college graduation. Although he had a lifelong interest in theater and the arts, other activities had commanded his attention. He was a varsity football player for Colby for 4 years, winning numerous awards and honors. Cote was also a champion member of Colby's Debate Team and served as its President during his senior year. While in Florida, Cote's principal vocations were as an actor and as a print and runway model. He performed with a number of Tampa Bay community and professional theater companies, and has done television commercial work for the Florida Film and Television industry. While in Florida, Cote also worked as a substitute teacher in the Pinellas County School District. Cote says that his experiences following his college graduation have taught him a lot about himself and have reinforced his desire to pursue a legal education. Cote has served as an elected town meeting member in Sanford, Maine, and worked as an intern in the Maine State House of Representatives in January 1995. Although he was admitted as part of the Class of 2000, Cote deferred for a year because his Army Reserve unit was activated and spent several months in Bosnia.

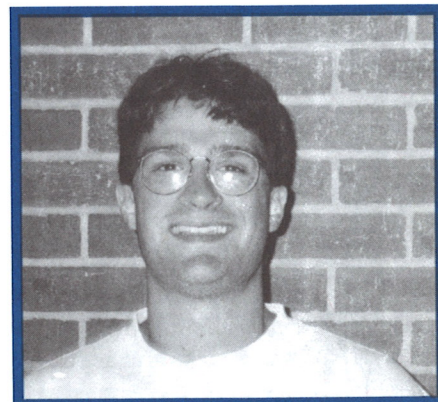
Scheherazade Fowler has lived in Maine all her life with the exception of the 4 years she spent at Yale University. She majored in Geology at Yale because "I am at my best when I can be a detective. It is my love for piecing together mundane details to reveal something

grand that drew me to geology." Fowler was a member of the Yale sailing team, and served as president of the New England Women's Intercollegiate Sailing Association in 1994. Following her graduation from Yale in 1995, Fowler moved back to Maine and spent a year teaching and coaching sailing.



Scheherazade Fowler '01

In 1996, she founded a nonprofit organization to promote community sailing in Maine called Sail Maine. Later that year, Fowler began working as a system administrator at the Camden Public Library. A self-described "computer nerd," she managed the computer network for the library, and taught several computer classes which were open to the community.



Marc Frenette '01

Marc Frenette is another Maine native. He was born and grew up in Lewiston, and became interested in law when he served as the captain of his high school's championship Mock Trial team. Frenette was Valedictorian of his 1994 St. Dominic Regional High School class, and received his Bache-

lor's degree, *magna cum laude*, from Duke University in 1998. An Environmental Sciences and Policy major (with a minor in Philosophy), Frenette spent the fall semester of his junior year at the Duke Marine Laboratory in Beaufort, North Carolina, working on an independent study project. His research paper, *North Carolina Marine Policy: The Development of the Coastal Recreational Fishing License*, and several internships during his summers in college led Frenette to conclude that he wanted to study environmental law and become a lawyer. He was particularly attracted by Maine's Marine Law Institute and the Ocean and Coastal Law Program.



Ardith Keef '01

Ardith Keef is an Associate Professor of Music at the University of Southern Maine, has played the bassoon with the Portland Symphony Orchestra for twenty-one years, and is also an international solo performer. Keef teaches bassoon and takes pride in the fact that approximately thirty of her students have won national and international awards. Keef grew up in Texas, and studied music at Brigham Young University, Pan American University (now University of Texas, Pan American), and Del Mar College in Texas. She received a Bachelor's Degree and a Master's Degree in Music from the Eastman School of Music of the University of Rochester and moved to Maine in 1977. In addition to her academic responsibilities and her solo and ensemble performance schedule, Keef is a co-founder of the Atlantic Soloists Ensemble and member of the Maine Baroque Ensemble. For the past six years, she has also owned and managed an elegant gift retail store in

Scarborough, Maine. As if she did not have enough on her plate, during the past ten years, Keef established a non-profit organization that supports and supplies missionaries in third-world countries. She has raised money for and delivered almost \$2 million worth of medical goods to missionaries in distant and difficult countries such as Siberia, Ethiopia, and Nepal. Keef, who has travelled to 47 countries in the past five years, wants to focus her attention on international law and bring her legal training and skills to work for her organization called International Missionary Service. When she finishes her legal education, she hopes to continue performing, and teaching.

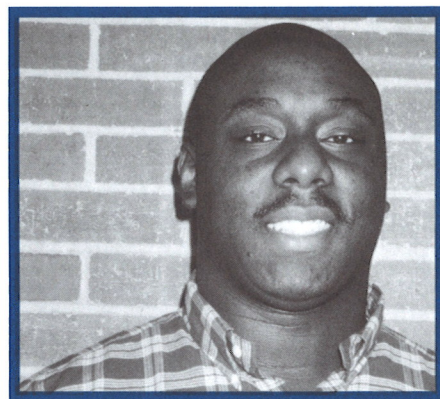
Rebecca Lohmann graduated from high school in Indiana, attended Carleton College in Minnesota, and returned to Indiana where she received her Bachelor's degree from Indiana University with majors in English and German.



Rebecca Lohmann '01

Since graduation in 1988, Lohmann has been involved in various aspects of municipal government. After serving for two years as the Assistant Executive Secretary to the Board of Selectmen and one year as Assistant Town Clerk in the Town of Nantucket, Massachusetts, Lohmann ran for Town Clerk in 1992 and was elected to a three-year term, defeating three other candidates. She was reelected, running unopposed, in 1995. She decided not to seek reelection in 1998 so that she could attend law school. As Town Clerk, Lohmann was deeply involved in Nantucket's adoption of its first-ever town charter, was responsible for the administration of town and state elections as well as the town meeting, oversaw the codification

of town bylaws and regulations, and was responsible for vital records administration and issues relating to public records and the open meeting law. She attended a gymnasium in Munich, Germany for a year, and attended the University of Hamburg (Germany) with Indiana University's overseas study program for her junior year of college. She has travelled extensively in western Europe.



Yoel Molina '01

Yoel Molina grew up in Miami, Florida. His family is originally from Cuba, and Molina is fluent in Spanish. Molina was a star football player, and went to Georgia Institute of Technology with the intent of playing college football and then playing in the National Football League. In his freshman year at Georgia Tech, he received Freshman All-American recognition. A serious knee injury, which involved surgery and rehabilitation, redirected his attention to academics and motivated him to consider ways in which he could make a difference in his community. Molina assumed a leadership role on the football team and was selected to serve on the Georgia Tech Student Athlete Advisory Board. He also worked as a legal assistant in an Atlanta law firm while in college. Molina graduated from Georgia Tech in 1997 with a major in International Affairs. He is the first person in his family to graduate from college. After graduation, Molina worked for Cura Labor in Miami as a manager of human resources and in the customer service departments. Molina saw much poverty, sickness, homelessness, and human suffering as he was growing up and is determined to use his legal training to serve his community and to become a community leader. ■

Class of 1973 25th Reunion

On May 30, 1998, the University of Maine School of Law Class of 1973 celebrated its 25th Reunion. Living up to its reputation of being one of the closest and most enthusiastic classes to graduate from the Law School, the Class of 1973 had a lively reunion gathering packed with fun. The reunion gave classmates a chance to catch up and see old friends. Twenty-eight members of the class attended the reunion. Some people traveled long distances to come including: Thomas W. Hennen from Washington state, Frank J. Scanlon from Tennessee, and Anne B. Poulin from Pennsylvania, not to mention alums from Connecticut, Rhode Island and Vermont. Members of the Law School community from twenty-five years ago were invited to attend the reunion dinner. Dean God-

frey, Professors Judy Potter and David Gregory, Registrar Frances M. Tucker and Hon. Caroline D. Glassman, professor and wife of the late Professor Harry Glassman, all joined in the reunion dinner. In addition to a dinner at the Portland Country Club, reunion events included a Saturday morning golf tournament coordinated by Bill Hardy. According to Hardy's letter to golfers, he used "astrological signs and other pertinent data" to match teams consisting of classmates and their spouses for the golf scramble. On Sunday morning a few classmates gathered at the Regency for brunch and to review the events of the weekend.

For its 25th Reunion Gift the Class of 1973 established the "Class of 1973/ Glassman Faculty Research Scholar Fund." The Fund will annually rec-

ognize and support one member of the faculty's designated research and publication activity. The fund exceeds \$100,000 in gifts and pledges - a remarkable and record-setting 25th Reunion Gift. The late Harry Glassman taught at the Law School from 1962 to 1971, when he was appointed to the Superior Court bench; he later served on the Maine Supreme Judicial Court from 1978 until his death in 1981. Caroline Glassman, Harry's wife, also taught at the Law School, and was the first woman to serve on the Maine Supreme Judicial Court.

This is the sixth consecutive year a Maine Law School class has celebrated its 25th Reunion. Special thanks to reunion committee members: William P. Hardy, Keith A. Powers, Roderick R. Rovzar, Peter R. Roy, Ellsworth T. Rundlett, III, and Gary F. Thorne. ■



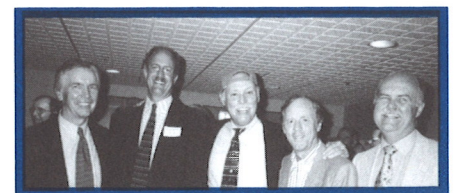
Pictured at left, back row: Thomas Hennen, Joseph Manera, Jr., Keith Powers, Thomas Berry, Robert Avaunt, Gregory Smith, James Campbell. Front Row: Frank Scanlon, Anne Poulin, Peter Mills, William Hardy, Robert Briggs, Peter Herbst



Gregory Farris, Donna Maiorino, Marie Manera, Joseph Manera, Jr., and Pasquale F. Maiorino

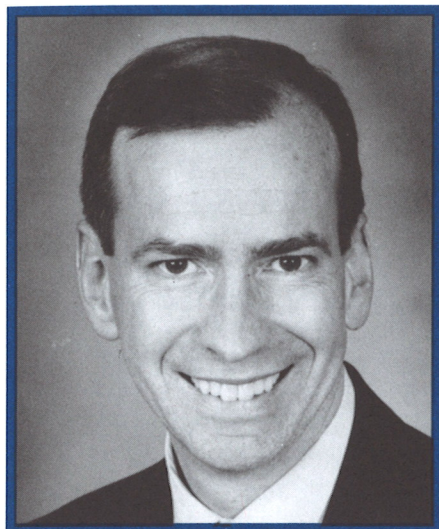


Peter Roy, Hon. Caroline Glassman, Hon. Nancy Mills '82, Peter Mills, and Registrar, Frances Tucker



Reunion Committee (l to r): William Hardy, Roderick Rovzar, Peter Roy, Derry Rundlett, and Keith Powers (Gary Thorne not available for photo)

President's Column



F. Mark Terison '78

Less than a year ago, on a snowy day in December, Maine's Pine Tree Legal Services celebrated its 30th birthday with a luncheon in Augusta. The premier legal services organization for Maine's poor, Pine Tree, now finds that it has to do more with less. Primarily due to funding cuts to the federal Legal Services Corporation, Pine Tree's staff has dropped from 25 lawyers to nine, resulting in a ratio of approximately one attorney for every 34,000 clients in need. Roughly 40% fewer Mainers receive help from Pine Tree today than five years ago.

Maine's Legal Services for the Elderly finds itself in similar circumstances. It has only six attorneys doing casework, or one attorney for roughly every 16,000 eligible elderly Mainers. Last year's passage of a surcharge on court filings to provide revenue for the Maine Civil Legal Services Fund has helped somewhat to alleviate these circumstances, but times are still tight for legal service providers in Maine.

Judson Esty-Kendall '76, Patricia M. Mathers '98, Leo J. Delicata '75 and other graduates of the Law School struggle daily at Pine Tree, Legal Services for the Elderly, or at other legal service organizations of Maine

and elsewhere to provide legal assistance with scarce resources. These individuals, and others like them, work every day of their professional lives to make legal services available to the most needy. The University of Maine School of Law has helped to make the important contributions of these graduates possible.

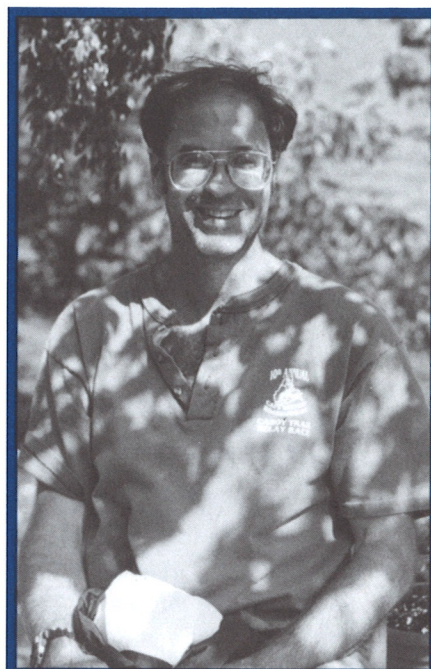
The Law School also makes a singular contribution to legal services through the efforts of its students at the Cumberland Legal Aid Clinic. Faculty members Judy Potter, Mike Mullane, and Jennifer Wriggins have devoted countless hours supervising students on innumerable cases. Scott Gould now steps in to carry on the Clinic's work. Law students themselves continue to spend a great deal of time and energy providing legal representation through the Clinic.

These efforts not only help poor litigants, they also save the state money. Unrepresented litigants take approximately three times as much court time as litigants who have counsel. Legal help in obtaining child support orders keeps families off the welfare rolls. Recovering the assets of the financially exploited elderly saves money by helping some elderly folks live at home as long as possible. Providing legal services thus makes good economic sense, too.

So many graduates and members of the University of Maine School of Law community make daily contributions to the common good. Contributions to the provision of much needed legal services is just one more example of how the Law School helps to make Maine a better place. ■

Address Correction Requested

Every piece of returned mail or address correction costs the alumni office money. Please send address updates as soon as possible to : Alumni Office, University of Maine School of Law, 246 Deering Avenue, Portland, Maine 04102; or call us at (207)780-4342; or via e-mail at: pconstan@payson.usm.maine.edu



Judson Esty-Kendall '76 works for Pine Tree Legal Assistance in Bangor.

1998 Alumni Association Board

Officers:

F. Mark Terison '78, President
Diane Dusini '87, Vice President
David P. Silk '85, Secretary
James M. Bowie '77, Treasurer

Directors:

Martha L. Casey '82 -
Martha E. Freeman '80
Martha W. Howell '74
Louise M. McCarthy '92
Duncan A. McEachern '68
Peter C. McKenney '77
James F. Molleur '79
Lawrence J. Mullen '81
Laura M. O'Hanlon '92
Glen L. Porter '78
Donna M. Ryan '88
David S. Silsby '58
Paula D. Silsby '76
Valerie Stanfill '85
Kathryn L. Vezina '90
Elizabeth C. Woodcock '88
Dean Colleen Khoury, Ex Officio
Mary P. Nelson, Executive Director

Alumni Participation in CLE Programs

Alumni participating in the Maine State Bar Association's Continuing Legal Education program: *"Municipal Ordinances: How to Prepare for the Hurricane that Blows a Telecommunication Tower Onto a Group Home Operating a Sexually Oriented Business in Your Community"* on February 11 in Portland - **Natalie L. Burns '87, Harry C. Center II '87, William H. Dale '75, Rebecca Warren Seel '78**; *"Law Practice Management Trade Show"* on March 13 in Augusta - **John H. Montgomery '77**; *"Boundary Disputes and Real Estate Litigation"* on February 27 in Augusta - **Elliott L. Epstein '78**; *"Municipal Law Dilemmas: Identification and Analysis"* on April 2 in Portland - **Natalie L. Burns '87, Harry C. Center II '87, Rebecca Warren Seel '78**; *"Special Needs Trusts: Settling the Case and Protecting the Client"* on April 9 in Portland - **Barbara A. Carlin '88**; *"Workers' Compensation Litigation: The Changing Landscape"* on April 29 in Augusta - **Robert W. Bower, Jr. '85, Alison A. Denham '81, Paul R. Dionne '72, Julia A. Finn '90, Stephen**

Hessert '77, Stephen W. Moriarty '78, Jane E. Skelton '88, Thomas R. Watson '82; *"Pitfalls For The Unwary: Civil Practice and Procedure in the Federal District Court"* on May 1 in Augusta - **Charles A. Harvey, Jr. '74, John H. Montgomery '77, John A. Woodcock, Jr., '76**; *"Zoning and Land Use: New Developments and Issues"* on May 5 in Augusta - **James N. Katsiaficas '84, Clifford H. Goodall '72, P. Andrew Hamilton '84, Margaret McCloskey '84, Richard W. Smith '73, Amy K. Tchao '93**; *"Legal Research: Has It Changed Since You Left Law School?"* on May 8 in Augusta - **Joanne P. Dugan '89, Todd S. Holbrook '93, David D. Farrar, '86**; *"Taxes, Support and the Family Court: Critical Changes in Tax Law and Child Support Enforcement"* on May 29 in South Portland - **Kenneth P. Althshuler '85, Neil D. Jamieson Jr. '88, Diane Dusini '87, Mary P. Mitchell Friedman '82, Martin Schindler '86**; *"Current Issues in General Bankruptcy Practice"* on June 3 in Augusta - **Peter C. Fessenden '74, Martha A. Grant '81, William K. McKinley '81, Richard J. Silver '82**; *"Real Estate Practice: Beyond the Basics"* on June 12 in Augusta - **Judith A.**

Fletcher Woodbury '80, Paul F. Driscoll '81; *"Winning the Un-Winnable: The Defense of OUI"* on September 10 in Augusta - **Richard S. Emerson, Jr. '71, Terence M. Harrigan '88, Matthew B. Nichols '86**; *"Beyond the Basics: Winning Your Case Through Discovery"* on September 11 in Portland - **Linda Smith Dyer '80, Charles A. Harvey, Jr., '74, John A. Hobson '83, Robert A. Laskoff '70, M. Michaela Murphy '83, Valerie Stanfill '85**; *"Family Law - The Basics: An Introduction to the Family Law Case"* on September 18 in South Portland - **Judith W. Andrucki '79, Judith M. Berry '91, Edward S. David '87, Patricia A. Peard '88, Martin Schindler '86**.

The following Alumni are participating on the Maine State Bar Association's 1998 Continuing Legal Education Committee: Chairperson - **Louise K. Thomas '77**; Committee Members - **Professor David D. Gregory '68, Michael Griffin '73, Margaret Johnson '74, Christopher Leighton '82, Alton C. Stevens '73**.

Nomination of Directors and Officers

Members of the Law Alumni Association will elect new Directors of the Board at a special membership meeting on Wednesday, November 4, 1998. The meeting will be at 3:30 in the small seminar room of the Law School, 246 Deering Avenue, Portland.

In accordance with Article IV, Section 8 of the Association By-Laws, the Nominating Committee of the Law Alumni Association (Peter C. McKenney, Laura M. O'Hanlon and Susan H. Livingston) met and nominated the following members of the Association as Directors, each for a three-year term starting January 1, 1999: **Ronald**

J. Cullenberg '71; Michael R. Currie '80; Ann T. Hollyday '84; Jonathan T. Mann '94; Sharon Lawrence McHold '83; Barry Zimmerman '70, and the following current Directors, each for a second three-year term starting January 1, 1999: **Louise M. McCarthy '92; Peter C. McKenney '77; James F. Molleur '79; Lawrence J. Mullen '81; Donna M. Ryan '88**

The Committee nominates the following Directors as Officers, each for a one-year term starting January 1, 1999: **Diane Dusini '87, for President; David P. Silk '85, for Vice-President;**

Martha W. Howell '74, for Secretary; Peter C. McKenney '77, for Treasurer

You have the right to nominate by petition an additional candidate for Director. The petition should specify the candidate's name and address, and include fifteen (15) signatures of Association members. You have fifteen (15) days from the date of this mailing to file your petition with the Nominating Committee, c/o University of Maine School of Law Alumni Office, 246 Deering Avenue, Portland, Maine 04102. ■

Alumni News

'65

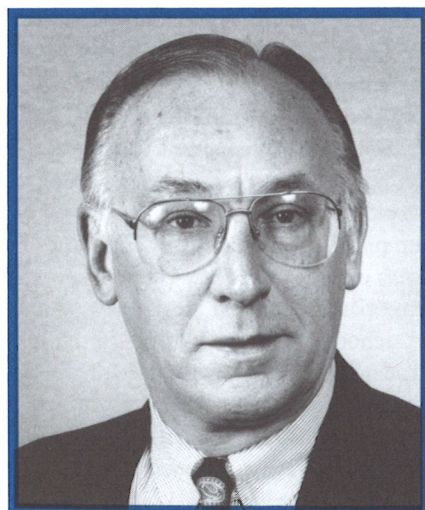
Chief Justice Daniel E. Wathen

served on a panel at the April meeting of the John Waldo Ballou Chapter of the American Inns of Court in Bangor. The Inns of Court used this forum to explore conflicting forces at work in the courts. In the spring of 1998, Wathen was honored as a life fellow of the American Bar Foundation. Life fellows are recognized for their generous support and commitment to the ideals and goals of the Foundation. The fellows are limited to one-third of one percent of lawyers licensed to practice in each jurisdiction.

'68

Hon. James P. Dunleavy recently accompanied his son, James M. Dunleavy '96, to the United States Virgin Islands where his son was sworn in as a member of the Territorial Court of the Virgin Islands and a member of the Federal District Court of the Virgin Islands.

'69



F. Paul Frinsko '69

F. Paul Frinsko was elected to the Board of Trustees of Gorham Savings

Bank. Frinsko is a former member and Chair of the Gorham Town Council and has also served as the Chair of Gorham Savings' Trustee and Corporator Review Committee. He is currently corporator of the Bank. Frinsko is a municipal attorney working for Bernstein, Shur, Sawyer & Nelson in Portland. **David B. Hawkes** was one of the presenters at The Institute for Family-Owned Business Seminar. On May 7th at the University of Southern Maine in Portland he discussed *"Your Family Business Clients Can Be A Lot Healthier: How Accountants, Attorneys, and Consultants Can Untie the Emotional Knots in Family Firms."*

'70

Hon. Susan W. Calkins was appointed to serve on the Maine Supreme Judicial Court in June 1998 and was sworn in on September 2nd. Calkins began serving as a judge in May of 1980 when she was appointed to the Maine District Court and was named Chief Judge of this court in 1990. In May of 1995 Calkins began serving on the Maine Superior Court where she has served until her recent appointment to the Supreme Court. **Captain Charles L. Cragin** retired from the U.S. Naval Reserve in April 10th after thirty-six years of service. On April 12th, Cragin became the Acting Assistant Secretary of Defense for Reserve Affairs, and will serve as the principal staff assistant and advisor to the Secretary of Defense on all matters involving Reserve components of the U. S. Armed Forces.

'73

Keith A. Powers has been appointed to serve on the Maine District Court and was sworn in on September 2nd. Powers was a member of Preti, Flaherty, Beliveau & Pachios, LLC in Portland and is currently serving as Chair of the Board of Overseers of the Bar. **Ellsworth T. Rundlett III** was elected Secretary of the Maine Trial Lawyers Association. Rundlett has been a Governor of the Association since 1991. Rundlett is a member of Childs, Emerson, Rundlett, Fifield & Childs.

'74

Hon. George N. Bowden has been appointed to the Snohomish County Superior Court. Bowden is a partner in the Everett, Washington, law firm of Senter & Bowden. For the past fifteen years, Bowden has also served as a judge *pro tempore*, filling in for other judges in their absence. **Peter C. Fessenden** was named this spring to a national panel to mediate disputes between the Justice Department and bankruptcy trustees. He has been the Standing Chapter 13 Trustee for the United States Bankruptcy Court since 1981 and is responsible for administering all Chapter 13 cases filed in Maine.

25th Reunion Committee

The following people have agreed to serve on the Class of 1974 25th Reunion Committee: **Paul A. Devine, Peter C. Fessenden, Phyllis G. Givertz, Martha W. Howell, Thomas G. Leahy, John R. McKernan.**

'75

John A. Churchill received the Maine Bar Foundation's 1998 Volunteer Lawyers Project *pro bono publico* award for Washington County. The award recognizes the outstanding *pro bono* contributions of Maine attorneys through their participation in the Volunteer Lawyers Project.

'76

Chief Justice Margaret J. Kravchuk of the Maine Superior Court served on a panel at the April meeting of the John Waldo Ballou Chapter of the American Inns of Court in Bangor. The Inns of Court used this forum to explore conflicting forces at work in the courts. **John F. Shea** has become a member of the law firm of Wright, Moehrke & Mackie, P.C. in Boston, Massachusetts. The firm will now be called Moehrke, Mackie & Shea, P.C.

'77

Steven A. Hammond was inaugurated in August as President of the Union Internationale des Avocats (International Association for Lawyers) in Nice, France. Hammond has served as President Elect for the past year (see article in this issue). The Union Internationale des Avocats is the oldest association of bars, bar associations and law societies in the world.

'78

Elliott L. Epstein co-authored an article with Andrew Zulieve published in the May issue of the *Maine Bar Journal* entitled, "The Fair Use Doctrine: Commercial Misappropriation and Market Diversion." Epstein is a partner at Isaacson & Raymond in Lewiston. He specializes in trial practice, including personal injury, malpractice, divorce, commercial, real estate and criminal litigation. Epstein is on the Civil Rules Advisory Committee and the Maine Bar Journal Editorial Advisory Committee.

'79

Arthur R. Dingley, D.O., was board-certified by the American Board of Psychiatry and Neurology. Dingley passed parts I and II of the examination on the first attempt. This is accomplished by approximately thirty percent of the candidates. Dingley spent part of the summer with his sons, Zeb and Nathan, completing the hike from New Hampshire to Mount Katahdin on Maine's two hundred and eighty miles of Appalachian Trail. **Robert V. O'Brien** was named chairman of the Global Health Care & Group Benefits Practice Group and leader of the U.S. practice of William M. Mercer, Incorporated. O'Brien will focus on helping multinational employers address health care issues on a global basis and will continue to serve as a member of the Global Health Care & Group Benefits Practice. He lives in Washington where he has been in charge of William M. Mercer's Seattle office. O'Brien has also been teaching health care finance

and insurance at Lewis and Clark College's Northwestern School of Law. He is a member of the American Bar Association's Forum Committee on Health Law, the Oregon State Bar, the National Health Lawyers Association, and the Western Pension Conference.

'80

Neale A. Duffett served on a committee which drafted model jury instructions for criminal cases conducted in U.S. district courts of the First Circuit. The committee spent about three years drafting these model instructions. Chief Judge D. Brock Hornby organized and assisted the committee. Professor Melvyn Zarr co-chaired the committee. West Publishing Company published the model instructions in March 1998.

'82

Nicholas Katsonis has established the Law Office of de Verges & Katsonis in Worcester, Massachusetts. Katsonis previously served as Managing Attorney of the FDIC's field office in Franklin, Massachusetts, following several years in private practice in Dallas, Texas. Katsonis also reports that he, his wife, Rebecca, and their four daughters are finally settling into their 1796 farmhouse after almost three years of restoration.

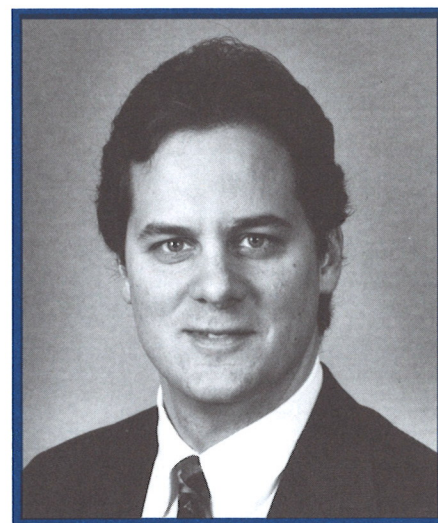
'83

John A. Hobson was named president-elect of the Maine Trial Lawyers Association. Hobson has been a governor of the association since 1991 and is a member of Perkins, Thompson, Hinckley & Keddy in Portland. **Daniel R. Warren** was named co-chair of the Maine State Bar Association's Public Relations Committee on July 1st.

'84

Pamela M. Bugosh wrote an article published in the May issue of the *Maine Bar Journal* entitled, "The Maine Probate Code and Medicaid Claims Against The Estate of a Medicaid Recipient." Bugosh has her own practice in Brunswick where she spe-

cializes in estate planning and trusts, real estate, probate, and the law of nonprofit organizations. For the past four years, she has provided commentary to the American Bar Association's Central and Eastern Europe Law Project on tax and nonprofit draft laws of various countries in Eastern Europe. Bugosh also speaks at seminars and workshops throughout Maine on the topic of financial planning for disability. **Alan M. Harris** received the Maine Bar Foundation's 1998 Volunteer Lawyers Project *pro bono publico* award for Penobscot County. The award recognizes the outstanding *pro bono* contributions of Maine attorneys through their participation in the Volunteer Lawyers Project. **Patrick J. Scully**



Patrick J. Scully '84

of Bernstein, Shur, Sawyer & Nelson has been working on behalf of several Maine towns to negotiate better cable television franchise agreements with their cable companies. By negotiating better agreements, some towns have been provided with not only public access channels and equipment, but also separate cable networks used to link schools, libraries and public buildings for transfer of data, video and even telephone service. Scully concentrates his practice in the areas of municipal and administrative law, telecommunications and public utilities. **Edwinna C. Vanderzanden** was selected as a faculty member for the seminar "Nursing Law in New Hampshire." The seminar will cover the topics of a

nurse's liability, the handling of malpractice cases, the effect of ethical issues on treatment decisions, and AIDS in the workplace. Vanderzanden is a partner in the law firm of Sanders & McDermott in Hampton, New Hampshire. She holds a degree in nursing and is board certified as a pediatric nurse practitioner. Vanderzanden represents clients bringing and defending lawsuits in personal injury and probate cases and represents institutions in malpractice defense and regulatory compliance. She also writes and lectures on legal issues in health care.

'85

David R. Beneman spoke on "Themes and Theories of Sentencing" at a spring Sentencing Advocacy Seminar sponsored by the Maine Association of Criminal Defense Lawyers. Beneman is a principal at the law firm of Levenson, Vickerson & Beneman in Portland.

'86

Shari B. Broder and Eric J. Bryant had a baby girl, Andrea Rose Bryant, (9 lbs.) on January 30th. **Captain Jody M. Prescott** wrote an article published in the June issue of *The Army Lawyer* entitled "Operational Claims in Bosnia-Herzegovina and Croatia." **Michael D. Urban** has opened the law office of Kehr & Urban, LLP with offices in Wellesley, Massachusetts and Concord, New Hampshire. Urban is a member of the Massachusetts, New Hampshire, Maine and Rhode Island Bars. **Kaighn Smith, Jr.** has become a member of the law firm of Drummond, Woodsum & MacMahon in Portland.

'87

Natalie L. Burns has joined the law firm of Jensen Baird Gardner & Henry in Portland as a member of their Governmental Service Practice Group. Burns has been Associate Corporation Counsel for the City of Portland for the past ten years. **Edward David, M.D.** published a revised chapter entitled "Antitrust" with Professor Cluchey this

spring. This revised chapter was written for all four editions of *Legal Medicine* (Mosby) which is a widely-used text sponsored by the American College of Legal Medicine. David started this project as part of his writing project during his third year in law school. David is the Deputy Chief Medical Examiner in Bangor. He has served as the chair of the Board of Licensure in Medicine for the past ten years. The Board of Licensure is responsible for licensing and discipline in the M.D. physician community. **Jonathan B. Huntington** received the Maine Bar Foundation's 1998 Volunteer Lawyers Project *pro bono publico* award for Piscataquis County. The award recognizes the outstanding *pro bono* contributions of Maine attorneys through their participation in the Volunteer Lawyers Project. **Gisele M. Nadeau** was elected the treasurer of the Maine Trial Lawyers Association. Nadeau has been a governor of the association since 1990. **Daina J. Nathanson** was named a shareholder in the firm of Drummond, Woodsum & MacMahon in Portland. Nathanson has been with the firm for nine years.

'88

In April **Patricia A. Peard** was named the recipient of the Justice Louis Scolnik Award by the Maine Civil Liberties Union. The Scolnik Award was established in 1989 to honor members of the legal community who have shown an outstanding commitment to the protection of civil liberties. Peard is a partner in the law firm of Bernstein, Shur, Sawyer & Nelson, and is co-chair of the Legislative Committee of Maine State Bar Association's Women's Law Section. Peard is founder and board member of the Maine Lesbian and Gay Law Association, and serves as vice president of the Gay and Lesbian Advocates and Defenders, headquartered in Boston. **Ryan S. Stinneford** has rejoined the firm of Pierce Atwood in Portland as a partner in the Corporate Department and Banking and Consumer Regulation Practice Group. Stinneford was with Pierce Atwood from 1988 to 1993

before going to work for Bank of Boston where he has worked for the last five years.

'89

Mark T. Kremzner has become a member of the Maine State Bar Association. Kremzner is an associate with Smith Elliott Smith and Garmey in Saco.

'90

Sally A. Erickson and husband, Michael Bass, had a son, Paul, on November 20, 1997. **Jeanne A. Foy** and William B. Scarpelli '91 had a daughter, Joelle Claire Scarpelli (7 lbs., 2 oz, 19 3/4 inches) on June 7th. **Russell J. Goldsmith** received the Maine Bar Foundation's 1998 Volunteer Lawyers Project *pro bono publico* award for York County. The award recognizes the outstanding *pro bono* contributions of Maine attorneys through their participation in the Volunteers Lawyers Project. **Elizabeth Stout Morley** has joined the Portland office of the Department of the Attorney General. **Colleen J. Quint** was quoted in an article entitled "High Schools Fear Telling Colleges All about Johnny," published on the front page of the March 11, 1998, edition of the *New York Times*. The article examined the issue of high school guidance counselors being sued by parents if their children fail to gain acceptance to college.

'91

Henry W. Griffin and his wife, Elizabeth Eddy Griffin '92 had their first child, Benjamin Cooper, (8 lbs., 13 oz) on December 5th. **Penny Littell** has begun working as the Associate Corporation Counsel for the City of Portland. **Dennis J. O'Donovan** has become a partner in the law firm of McCandless, Epstein & O'Donovan L.L.P. O'Donovan is Chair of the Trust and Estates Section of the Maine State Bar Association. **William B. Scarpelli** and Jeanne A. Foy '90 had a daughter, Joelle Claire Scarpelli (7 lbs., 2 oz, 19 3/4 inches) on June 7th.

'92

Elizabeth Eddy Griffin and her husband, Henry W. Griffin '91 had their first child, Benjamin Cooper, (8 lbs., 13 oz) on December 5th. **Johanne L. Hawk** has moved to Charlotte, North Carolina. Hawk is corporate tax counsel for First Union Corporation, the sixth largest bank in the U.S. Her responsibilities include mergers and acquisitions, employee benefits, partnership issues and international tax. Hawk and her family will be moving into the home they are building. Hawk's children Chelsea (4) and Tyler (2) have been accepted to the Charlotte Preparatory School for the fall. **Bruce S. Nicholson** has become a partner in the law firm of Erler & Powers, now called Erler, Powers & Nicholson, in South Portland. **Steven G. Saunders** joined Bromberg & Sunstein, LLP in August of 1997.

'93

Thomas S. Marjerison was selected by the American Bar Association's Central and East European Law Initiative to join a team of legal specialists to assist the International Criminal Tribunal for the Former Yugoslavia in the Hague. Marjerison will review the dossiers of suspected war criminals submitted by the authorities of Bosnia-Herzegovina and then make recommendations to the Tribunal's Office of the Prosecutor. Marjerison is with the law firm of Norman, Hanson & DeTroy in Portland. **Walter F. McKee** and his wife, Kristin Aiello '94 had their first child, Anne, on July 10th. **Jeffrey W. Peters** has joined Conley, Haley & Champion in Bath. **William J. Schneider** has announced that he is running for the Republican nomination for the Maine Legislature in District #85 which includes the town of Durham and portions of the towns of Brunswick and Lisbon. Prior to his campaign, he was a Maine Assistant Attorney General assigned to the District Attorney's office in Androscoggin County. Schneider is a member of the Durham Conservation Commission and is on the Board of

Directors of Alpha One. He lives on a 200-year-old farm in Durham with his daughter and his wife of seventeen years, Barbara. **James M. Whittemore** has become a partner in the firm of Ranger & Copeland, P.A. in Brunswick. The firm will now be called Ranger Copeland Whittemore, P.A. **Elizabeth Wallace Wyman** has joined the Augusta office of the Department of the Attorney General.

'94

Kristin Aiello and her husband, Walter F. McKee '93 had their first child, Anne, on July 10th. **Tina Farrenkoph** has accepted a position with the Houlton Band of Malisett Indians in Houlton. **Jonathan T. Mann** has accepted a position at Hill & Barlow in Boston, Massachusetts.

'95

Louise A. Berlin has accepted a position at Hark, Andrucki & Fournier in Lewiston. **Jon A. Fitzgerald** has joined the law firm of Conley Haley & Champion in Bath. **John P. Gause** wrote an article for the *Maine Bar Journal* entitled, "The ADA in Practice: Navigating the Minefield." Gause is associated with Berman & Simmons, P.A. in Lewiston. **Erik J. Heels** co-authored *Law Law Law on the Internet: The Best Legal Web Sites and More*. The book catalogs sites that are useful to legal research and directories that can lead you to other online resources. It also reviews sites of bar associations and major vendors who publish work on the Internet. **J. Trevor Hughes** and his wife, Gabriella, had a son, J. Malcolm Hughes, on June 12th. **Alexander Leddy** has been named an associate in the firm of Drummond, Woodsum & MacMahon in Portland. **William S. Norbert** was nominated as the Democratic candidate for State Representative for District #34, which includes the North Deering and Portland neighborhoods in Portland. **Ann L. Rudisill** has joined Pierce Atwood's Portland office. Rudisill will work in the Labor and Employment Department and will deal with all aspects of employment

law, including defense of various state and federal discrimination laws, and advice to clients on compliance with the Americans with Disabilities Act, the Family and Medical Leave Act and Maine's harassment law. **Jill A. Sawdon** has accepted a position with Nasdaq Stock Market in Washington, D.C. as the Director of Market Service.

'96

Carolyn F. DeGrinney married **Daniel J. Mitchell** on May 23, 1998 (see photo next page). **James M. Dunleavy** traveled with his father, Hon. James P. Dunleavy '68 to the United States Virgin Islands in May, where he was sworn in as a member of The Territorial Court of the Virgin Islands and as a member of the Federal District Court of the Virgin Islands. James took the bar for the United States Virgin Islands in the summer of 1996. He will be on inactive status in that jurisdiction while he continues practicing with his father in Presque Isle. **Thomas H. Eyman** has joined the firm of Ranger Copeland Whittemore, P.A. in Brunswick. **Sandra Shannon Livingston** has become a member of the Maine State Bar Association. Livingston works at UNUM in Portland. **William A. Mason IV** and Rebecca C. Raskin '97 were married over Labor Day weekend. **Suzette Gerard Olafsen** has accepted a teaching position at Portland High School. Olafsen will be working with international students from over a dozen countries. **Melissa J. Reynolds** was named the 1998 Young Careerist by the Maine Federation of Business and Professional Women of District III. Reynolds works for Gross, Minsky, Mogul & Singal, P.A. in Bangor. **William R. Savage** was nominated as the Democratic candidate for State Representative for District #14, which includes Buxton and part of Hollis. Savage has a solo practice in Portland. **Daniel W. Walker** has accepted a position as permanent clerk with Judge James Z. Davis, presiding judge of the Utah Court of Appeals.



Wedding of Daniel J. Mitchell '96 and Carolyn DeGrinney Mitchell '96. Back row (l to r): William P. Keefe '96, Brian K. Murphy '96, Clifford B. Strike '96, Randall J. Bates '96, John P. DeGrinney '95, Kieran N. Shields '96, Douglas E. Massey '96, Patrick H. Gordan '96. Front row (l to r): Kerith Killip Peary '96, Tara K. Jenkins '96, groom, bride, Laura M. O'Hanlon '92, Scott E. Herrick '96

'97

Alison Adams Beyea has become a member of the Maine State Bar Association. Beyea is clerking for Judge Kermit Lipez of the U.S. Court of Appeals for the First Circuit. She previously clerked for Chief Justice Dan Wathen. **Bernard J. P. Broder, III** has accepted a position at the Maine Attorney General's Office in Caribou as the Assistant Attorney General for Aroostook County. **Charles A. Dow** married Erin Murray on August 22, 1998. Dow is currently working as a legislative aide at the Office of the Speaker of the House in Augusta. **Mark J. Fischler** attended the Gerry Spence Trial College in Wyoming throughout the month of August. **Devin B. Garramone** has taken a position with the legal department of the Utica City School District in Utica, New York. **Humphrey H. N. Johnson** is with the Army JAGC, 25th Infantry Division, Schofield Barricks, Hawaii. Johnson was mistakenly listed in the "The Class of 1997 - Where Are They Now?" article of the *Alumni Quarterly*, No. 66 as being in the Department of the Army, JAGC, Fort Belvoir, Virginia. **Captain Michael L. Kramer** is currently with the Army JAGC, International Law, 2nd Infantry Division, Republic of Korea. Kramer was mistakenly listed in the "The

Class of 1997 - Where Are They Now?" article of the *Alumni Quarterly*, No. 66 as being in the Department of the Army, JAGC, Fort Belvoir, Virginia. **Aaron T. Morel** is working at Marketing and Planning Systems in Massachusetts doing consulting and marketing research. **Nancy L. Morin** has joined the law firm of Moncure & Barnicle in Brunswick. **Sandra L. Parker** has become a member of the Maine State Bar Association. Parker works for the Maine Hospital Association in Augusta. **Bronwen T. Pierson** has become an associate with Fellows, Kee & Tymoczko in Buckport and a new member of the Maine State Bar Association. **Rebecca C. Raskin** and William A. Mason, IV '96 were married over Labor Day weekend. Raskin and Mason are living in Vermont where Raskin is clerking in the Vermont Supreme Court. **Martin C. Womer** has begun working as a Senior Planner at the Maine Land Use Regulation Commission in Augusta.

'98

Aaron K. Baltes is clerking at the Maine Superior Court in Bangor. **Maxwell Branson** is clerking at the Supreme Judicial Court of Maine for Justice Leigh I. Saufley '80. **Rose M. Gower** is clerking at the Superior Court of Connecticut. **Renee A. Guignard** is

clerking at the U.S. District Court, District of Connecticut, for Judge Covello. **John Melendez**, who is working for UNUM Corporation in South Carolina, added a note to his 3L Law School Exit Survey. He wishes everyone luck and says that if he can be of any help to anyone, to contact him. He misses Maine very much and expects to be back in Maine in the spring of 1999. **Patrick J. Mellor** is clerking at the Utah Court of Appeals in Salt Lake City, Utah. **Brian J. O'Donnell** is clerking at the Supreme Judicial Court of Maine. **Ross M. Povenmire** has written an article on circumcision which has been accepted and will be published by the American University Law School Journal on Gender and the Law. The article was an independent study project Povenmire did with Professor Jennifer Wriggins. **Andrew R. Sarapas** is clerking at the Maine Superior Court. **Michael V. Saxl** was nominated as the District 31, Democratic candidate for State Representative. Saxl currently serves as the House of Representatives House Majority Whip and hopes to become House Majority Leader. **Melinda Patterson Shain** is clerking at the Maine Superior Court. **Heather G. Silverstein** is clerking at the U.S. District Court, District of New Hampshire, for Judge Devine. **Rebekah J. Smith** is clerking at the Maine Supreme Judicial Court for Chief Justice Daniel E. Wathen '65. ■

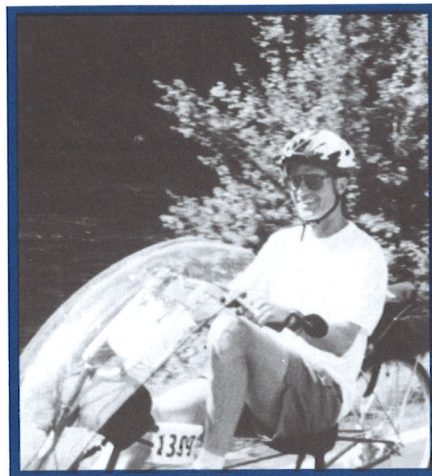
Deceased

Roger Paul Flaherty '54 died on April 21, 1998. Flaherty once served as the Assistant District Attorney in Sanford and had a law firm in Sanford for many years. In 1956 he became the first Democratic judge of the Sanford Municipal Court, a position appointed by then governor Edmund S. Muskie. Flaherty was involved in the Sanford community and served on the Planning Board, participated in the Citizens Campaign and was a volunteer firefighter and a town meeting member. Flaherty is survived by his wife, Annette Flaherty, and son Kevin Flaherty. **Maurice V. Lawler '54** died on January 21, 1998. Lawler is survived by his wife, Beverly Lawler of Spring Hill, Florida. ■

Activities Outside the Practice of Law



Hon. Carl O. Bradford '62 plays in the Port City Jazz Band. The band plays jazz from the 20's, 30's and 40's.



C. Max Sexton '76 averaged eighty-one miles a day during his trek from Seattle to Washington, D.C.

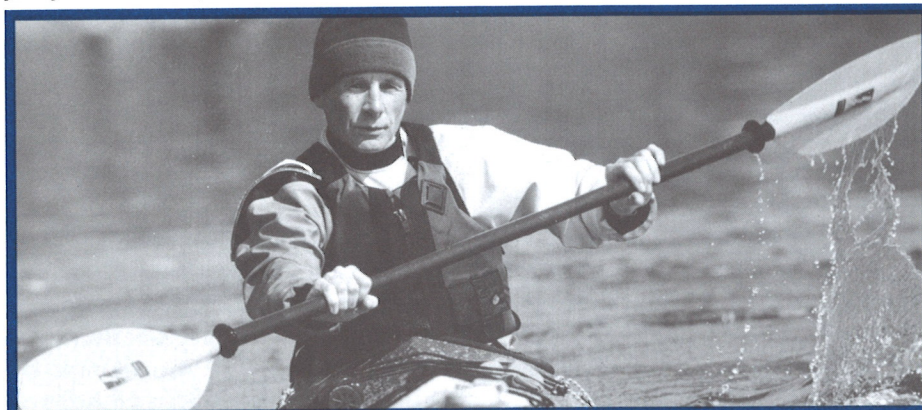


Photo: ABAJ/Dean Abramson

Richard W. Mulhern '85 sea kayaks year-round in Casco Bay.

Maine School of Law alumni take part in a variety of interesting activities outside the practice of law every day. We wanted to use this opportunity to tell you about a few that the Alumni Office has heard about lately. Honorable Carl O. Bradford '62 finds his outlet to be performing with the Port City Jazz Band which he co-founded last summer. Bradford sings and plays cornet with the band. Bradford was sworn in on September 2nd as an active retired Superior Court justice and plans on dedicating more of his time to his music. The June issue of ABA Journal pictured Richard W. Mulhern '85 enjoying one of his various hobbies, sea kayaking. Mulhern started sea kayaking three years ago after taking a course from a local outfitter and says it gives him a great feeling of freedom. C. Max Sexton '76 spent seven weeks this summer riding a recumbent bicycle from Seattle to Washington, D.C. to raise money for the American Lung Association. He camped out in football fields and fair grounds as he traveled. Sexton was one of approximately 700 riders who together raised around six million dollars for the Association. ■

In complying with the letter and spirit of applicable laws and in pursuing its own goals of pluralism, the University of Southern Maine shall not discriminate on the grounds of race, color, religion, sex, sexual orientation, national origin or citizenship status, age, disability, or veterans status in employment, education and all other areas of the University. The University provides reasonable accommodations to qualified individuals with disabilities upon request. Questions and complaints about discrimination in any area of the University should be directed to the campus compliance officer, Sue Ellen Bordwell, 7 College Avenue, Gorham, Maine 04038, (207) 780-5094; TTY (207) 780-5646.



246 Deering Avenue
Portland, Maine 04102-2898

ADDRESS SERVICE REQUESTED

The Alumni Quarterly is published in March, June, September, and December by the University of Maine Law Alumni Office. It is sent to alumni, students, and friends of the Law School. The deadline for each issue is one month prior to publication. Please send items of interest to the Law School community to Mary Nelson, Patricia Constant, writers and editors, at the above address, or:
e-mail: mnelson@payson.usm.maine.edu
e-mail: pconstan@payson.usm.maine.edu

Non-Profit Org.
U.S. Postage
PAID
Portland, ME
Permit No. 127

